

# The Gazette of India



PUBLISHED BY AUTHORITY

No. 39] NEW DELHI, SATURDAY, SEPTEMBER 29, 1956

## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 22nd September 1956 :—

Issue No.	No. and date	Issued by	Subject
273	S.R.O. 2097, dated the 15th September 1956.	Ministry of Law.	The States Reorganisation (Elections to Provisional State Legislatures) Rules, 1956.
274	S.R.O. 2098, dated the 17th September 1956.	Ministry of Food and Agriculture.	The Bombay Wheat (Movement Control) Order, 1956.
275	S.R.O. 2099, dated the 11th September 1956.	Election Commission, India.	Designation of Returning Officers for each of the Parliamentary constituencies in the state of Uttar Pradesh.
	S.R.O. 2100, dated the 11th September 1956.	Ditto.	Appointment of Assistant Returning Officers for each of the Parliamentary constituencies in the state of Uttar Pradesh.
276	S.R.O. 2141, dated the 22nd September 1956.	Ministry of Finance (Department of Revenue)	Amendment made in the notification No. 45-Customs, dated the 12th May 1954.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## PART II—Section 3

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****MINISTRY OF LAW***New Delhi, the 20th September 1956*

**S.R.O. 2146.**—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law No. S.R.O. 3442, dated the 2nd November, 1955, relating to the execution of contracts and assurances of property, namely:—

In Part XVII, which relates to the Ministry of Natural Resources and Scientific Research, after Head C and the entries thereunder, the following Head and entries shall be inserted, namely:—

“D.—In the case of the Oil and Natural Gas Commission:—

1 (a) All Service Agreements;

(b) Security bonds executed by the staff employed in the Oil and Natural Gas Commission or their sureties to secure the due execution of an office or the due accounting for money or other property received by virtue thereof;

(c) Security and fidelity bonds, mortgage deeds, bonds given as security in connection with the employment of chashie-s, store-keepers and other subordinates required to handle stores and valuables in the course of their duties;

(d) All instruments connected with the reconveyance of property given as security;

(e) Leases of houses, lands and other immovable property; and

(f) Instruments relating to purchase or sale of land;

*by the Chairman or a Member of the Oil and Natural Gas Commission.*

2. (a) All contracts and instruments relating to the execution of works of all kinds connected with buildings, plant and machinery (including erection, addition and alterations) and with foundations and housing of machinery and electrical installations;

(b) contracts relating to the disposal of waste paper, obsolete, condemned and waste stores including unserviceable equipment, furniture, vehicles and their parts;

(c) contracts and other instruments relating to printing work, aerial photography, mapping and preparations of mosaics and prints;

(d) contracts relating to geophysical and other instrument surveys; and

(e) contracts relating to supply of labour;

*by the Chairman or a Member of the Oil and Natural Gas Commission.*

3. All instruments relating to purchase, supply, clearance and conveyance or carriage of materials, stores, equipment, machinery, water, electricity and hire or repair of machinery, furniture and other equipment;

*by the Chairman or a Member of the Oil and Natural Gas Commission.*

[No. Contracts/Am(10).]

P. K. BOSE, Dy. Secy.

*New Delhi, the 21st September 1956*

**S.R.O. 2147.**—In exercise of the powers conferred by section 129 of the States Reorganisation Act, 1956 (37 of 1956), the Central Government hereby makes

the following amendment in the States Reorganisation (Elections to Provisional States Legislatures) Rules, 1956, namely:—

In the said Rules, in sub-rule (1) of rule 6, for the words, brackets and figures "the election referred to in sub-section (4) of section 28" the words, brackets and figures "the elections referred to in sub-section (4) of section 28 and sub-rule (5) of rule 3" shall be substituted.

[No. F.26(5)/56-Elections.]

K. V. K. SUNDARAM, Special Secy.

### MINISTRY OF HOME AFFAIRS

*New Delhi-2, the 20th September 1956*

**S.R.O. 2148.**—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule 1 to the Indian Arms Rules, 1951, the Central Government is pleased to specify—

Shriman Maharaj Saheb Bahadur Singhji, Younger brother of the Ruler of Jhabua

for purposes of that entry in respect of one pistol/revolver, one rifle and one B. L. gun.

[No. 16/19/56-P.IV.]

**S.R.O. 2149.**—The Central Government is pleased to notify that—

Raj Kumar Gajendrapal Singhji Saheb—second son of His Highness the Maharaja of Jhabua, and

Rajkumar Devendra Kumar Singhji Saheb—third son of His Highness the Maharaja of Jhabua

have been nominated by the said ruler for the purposes of entry 2(b) of the table annexed to Schedule 1 to the Indian Arms Rules, 1951.

[No. 16/19/56-P.IV.]

C. P. S. MENON, Under Secy.

### LOK SABHA SECRETARIAT

*New Delhi, the 25th September 1956*

**S.R.O. 2150.**—In exercise of the powers conferred by clause (3) of Article 98 of the Constitution, the President, after consultation with the Speaker of the Lok Sabha, hereby makes the following further amendments to the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955, namely:—

1. In the Third Schedule to the said Rules—

Against the heading 'Pension' the following shall be inserted as entries (i)(b), (ii) and (iii), renumbering the existing entry as No. (i)(a)—

"(i)(b) In the case of persons who had the option and who opted out of the Liberalised Pension Rules, the rules applicable to them but for the introduction of the Liberalised Pension Rules, under the Government of India, Ministry of Finance Office Memoranda No. F.3(1)-Est.(Spl)/47, dated the 17th April, 1950 and No. F.3(16)-Est.(Spl)/50, dated the 2nd January, 1951 and subsequent supplemental orders issued from time to time;

(ii) Central Civil Services (Extraordinary Pension) Rules;

(iii) Civil Pensions (Commutation) Rules."

## 2. In the Fourth Schedule to the said Rules—

Against the heading 'Pension' the following shall be inserted as entries (i) (ib), (ii) and (iii) re-numbering the existing entry as No. (i)(a)—

"(i)(b) In the case of persons who had the option and who opted out of the Liberalised Pension Rules, the rules applicable to them but for the introduction of the Liberalised Pension Rules under the Government of India, Ministry of Finance, Office Memoranda No. F.3(1)-Est.(Spl.)/47, dated the 17th April, 1950 and No. F.3(16)-Est.(Spl.)/50, dated the 2nd January, 1951 and subsequent supplemental orders issued from time to time;

(ii) Central Civil Services (Extraordinary Pension) Rules;  
(iii) Civil Pensions (Commutation) Rules."

## 3. In the Fifth Schedule to the said Rules—

Against the heading 'Pension' the following shall be inserted as entries (ii) and (iii), renumbering the existing entry as No. (i)—

"(ii) Central Civil Services (Extraordinary Pension) Rules;  
(iii) Civil Pensions (Commutation) Rules."

[No. F.37-SD/56.]

M. N. KAUL, Secy.

## MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 4th September 1956

**S.R.O. 2151.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Foreign Jurisdiction Act, 1947, and of all other powers enabling in this behalf, the Central Government hereby orders that the President of the Permanent Commission of the Representative Assembly, Pondicherry shall receive a remuneration of Rs. 200 per month, with effect from 26th August, 1956 in addition to the salary and allowances admissible to him as Member of the Representative Assembly, Pondicherry, *vide* this Ministry's Notification No. S.R.O. (F.10-103/55-GP) [FJA-4(1)] dated the 2nd January, 1956.

[No. 597/56-GP.]

MAHBOOB AHMED, Under Secy.

New Delhi, the 20th September, 1956

**S.R.O. 2152/APP/CGE/56/5.**—Shri M. R. A. Baig, Joint Secretary to the Government of India in the Ministry of External Affairs, has taken over the functions of the Controller General of Emigration with the Government of India, with effect from the 13th September, 1956, *vice* Shri K. Ram, who proceeded abroad on duty.

[No. 188-Emi/56.]

[No. F.4-40/56-Emi.]

P. SOMASEKHARAN, Under Secy.

## MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 20th September 1956

**S.R.O. 2153.**—In exercise of the powers conferred by section 23 of the Rehabilitation Finance Administration Act, 1948 (12 of 1948), the Central Government hereby makes the following amendments in the Rehabilitation Finance Administration Rules, 1948, namely:—

In rule 16 of the said Rules—

(1) For the words "two months" the words "four months" shall be substituted;

(2) In item (ii)(a) of part C after the word "principal" the following shall be inserted, namely:—

"excluding interim receipts amounting to Rs....., credited to the principal accounts."

(3) For part D the following shall be substituted, namely:—

"D-(1) Total amount overdue from borrowers at the commencement of the half-year.

(ii) Total amount which became due during the half-year.

(iii) Total amount [out of (i) and (ii)] recovered during the half-year.

(iv) Total amount out of (iii) on which rebate was earned.

(v) Total amount overdue at the close of the half-year and the total number of defaulters.

[Note—figures of "Recalled Loans" should be included in computing items D(i) to D(v).]"

(4) For part 'E' the following shall be substituted, namely:—

"E—Total liability of the Administration as at the close of the half-year on guarantees under clause (b) of section 12".

[No. 7(95)-Corp/55.]

S. S. SHARMA, Under Secy.

**(Communications Division)**

New Delhi, the 25th September 1956

**S.R.O. 2154.**—In exercise of the powers conferred by section 6 of the Post Office National Savings Certificates Ordinance, 1944 (XLII of 1944), the Central Government hereby makes the following further amendments in the Post Office National Savings Certificates Rules 1944, namely:—

In the said rules, after Note to clause (d) of sub rule (1) of rule C, the following shall be inserted, namely:—

"(e) By presenting a Gift Coupon exchangeable for 12-year National Savings Certificates/National Plan Certificates.

**NOTE (1).**—Gift Coupons are obtainable from Post Offices in Rs. 5, Rs. 10, Rs. 50, Rs. 100 and Rs. 1,000 denominations by individual adults for presentation by them to others on auspicious occasions like marriage, birthday, and the like on receipt of an application in the prescribed form. The donee may be a minor or an adult, as the case may be. Interest on certificates issued in lieu of Gift Coupons shall run from the date of issue of the Gift Coupon if the same is presented for exchange within three months from the date of its issue; in other cases, interest shall run from the date on which the Gift Coupon is tendered. If, for any reason, the proposed Gift fails to materialise, certificates will be issued to the purchaser of the Gift Coupon from the Post Office of issue after the expiry of one month from the date of issue of the Gift Coupon. In case, however, the purchaser is unable to purchase certificates for the reason that he already holds National Savings Certificates/National Plan Certificates upto the prescribed maximum limits, the face value of the gift coupon will be refunded to him on his surrendering the coupon at the Post Office of issue at any time after the expiry of three months from the date of its issue.

**NOTE (2).**—A Gift Coupon cannot be redeemed by the donee in cash. If the donee already holds National Savings Certificates/National Plan Certificates upto the prescribed maximum limits, he may return the Gift Coupon to the donor for refund to him of the value of the Gift Coupon as stated above."

**NOTE (4).**—The Government shall not accept any responsibility if the Gift Coupon(s) is exchanged by a person other than the donee, for a National Savings Certificate(s)/National Plan Certificate(s).

[No. 5270-C3/PT/56.]

R. NARAYANASWAMI, Jt. Secy.

## CENTRAL EXCISE COLLECTORATE, DELHI

(CENTRAL EXCISE)

New Delhi, the 18th September 1956

SUBJECT.—Special Procedure for clearance of cement and Realisation of Excise Duty

**S.R.O. 2155.**—Consequent upon the withdrawal of residential Central Excise from Lakheri Cement Works, Lakheri, Rajasthan and Bhupendra Cement Works, Surajpur, Pepsu from the 15th September, 1956 the following obligations of the manufacturers are brought to their notice.

2. *Conditions & Limitations.*—(1) The factories will maintain an account current under Rule 9 of the Central Excise Rules, 1944. It will be their responsibility to ensure that adequate amount to cover all the clearance are available in their daily balance.

(2) The Collector may withdraw the procedure and reintroduce the procedure prescribed in the Central Excise Rules, 1944, at any time, and without assigning any reasons therefor.

(3) *Maintenance of Accounts.*—The factories will maintain proper accounts to show the relationship between the raw materials used and the Cement manufactured and such other accounts as the Collector may require for the proper levy and collection of Excise duty. In lieu of the accounts in Forms R.G. I and E.B. 4 prescribed under the Central Excise Rules, 1944, the factories will maintain the following accounts:

- (a) in Form 'A' showing the production and issues made from day to day of the excisable products, and
- (b) in Form 'B' showing an account of the issues made from the factory of such products otherwise than for home consumption.

4. *Clearance and payment of duty.*—(1) Although routine physical checks on clearances of excisable goods from the factory shall be dispensed with except in regard to clearances made for export in bond or under claim for rebate of excise duty, all clearances will continue to be covered by gate passes issued by the factory itself, no countersignature of the Central Excise Officer being necessary.

(2) On the last day of the week, the factory shall show an abstract of the assessable quantity cleared during the whole week and the amount of duty leviable thereon, on all the copies of form 'A' & 'B' relating to the last day of the week. An Inspector of Central Excise, from the headquarters office at Delhi shall visit the factory at weekly intervals to whom the Forms 'A' and 'B' shall be submitted by the factory, for verification and disposal.

5. *Monthly returns.*—The factory shall prepare the monthly return of excisable goods manufactured and issued in Form R.T. 3 prescribed under the Central Excise Rules, 1944, in triplicate and also append the following particulars at the end of the return.

- (i) Quantity of goods on which duty assessed according to the weekly abstracts....
- (ii) Duty assessed according to weekly abstracts....
- (iii) Duty payable according to the monthly return....
- (iv) Difference to be adjusted.

6. *Clearance for export.*—The procedure for clearance for export remains unaffected; clearances will be allowed on presentation of application in Form A.R.-4 and will be subject to examination and supervision by the Central Excise Staff before despatch from the factory. The factories are advised to submit these applications for clearances for export, as far as possible on the day of visit of the Inspector.

7. The procedure is conditional upon the maintenance by the manufacturer of complete records and books of accounts as will admit of ready comparison to the satisfaction of Central Excise Department with the entries made in Form 'A' & 'B' and in Form R.T. 3.

[No. 18/9/2956(10).]

**S.R.O. 2156.**—In exercise of the powers conferred on me under Rule 233 of Central Excise Rules, 1944 I hereby direct the Textile Mills producing Cotton Fabrics in Delhi Collectorate to indicate on each clearance application in form A.R. 1 the following particulars:—

(i) In the column provided for "Description of goods" the full description, including the distinguishing trade mark or number stamped on the cloth, for each individual variety cleared under the application.

(ii) In the column provided for "Value", the *ex-Mill* price per yard exclusive of duty, charged by the Mill on the invoice to the buyer, for each such variety.

## ADDENDUM AND CORRIGENDUM

New Delhi, the 12th September 1956

**S.R.O. 2157.**—At the end of para 3 of this Collectorate Notification issued under Rule 50 of Central Excise Rules, 1944, please add the following para:—

“4. The factory removing such intermediate non-excisable goods to another factory should produce proof of material having reached the destination”.

In line 3 of the list of non-excisable goods intermediate and Residual Products of excisable commodities attached with the notification referred to above, please read “without” for the word “with”.

[No. C.IV(16)9/55/75737-70.]

B. B. BARMAN, Collector.

## MINISTRY OF FINANCE (REVENUE DIVISION)

## CORRIGENDUM

## CUSTOMS

New Delhi, the 12th May 1956

**S.R.O. 2158.**—In the notification of the Government of India in the Ministry of Finance (Revenue Division), No. S.R.O. 495, dated the 1st March, 1956, published at pages 382—387 in Part II, Section 3 of the Gazette of India Extraordinary, of the same date,—

(I) In Annexure I, in the table relating to ‘Dimension’, for “9·0” in the second column against “Thread on cap” read “9·5”;

(II) In Annexure II,

(a) in paragraph (2)(b)(iv), for ‘eased’ occurring in the first line, read ‘eased’;

(b) in paragraph (5)(ii), for ‘0·5’ occurring in the second line, read ‘0·05’; and

(c) in paragraph (5) (iii), for “0·3”, occurring in the second line, read “0·3”.

[No. 21.]

W. SALDANHA, Dy. Secy.

New Delhi, the 14th July 1956

**S.R.O. 2159.**—In the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 40-Customs, dated the 7th June, 1956, published as S.R.O. 1344 in the Gazette of India, Extraordinary, Part II, Section 3 of the 7th June, 1956, for “15½ per cent. ad valorem where the preferential rate of duty is leviable” read “5½ per cent. ad valorem where the preferential rate of duty is leviable”.

[No. 55.]

M. A. RANGASWAMY, Dy. Secy.

## MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)

## LAND CUSTOMS

New Delhi, the 19th September 1956

**S.R.O. 2160.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), the Central Government hereby makes the following amendment in the Notification of the Government of India, in the Ministry of Finance (Revenue Division), No. 42-Customs, dated the 9th October, 1948; namely:—

In the Schedule to the said notification, for Tariff item “87 Raw Kapok”, the item “37 Raw Kapok including ginned Kapok”, shall be substituted.

[No. 79.]

## CENTRAL EXCISES

*New Delhi, the 29th September 1956*

**S.R.O. 2161.**—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Central Excise Rules, 1944, namely:—

In rule 224-A of the said Rules, for the words “appropriate officer” wherever they occur, the words “proper officer” shall be substituted.

[No. 14-CER/56.]

S. K. BHATTACHARJEE, Dy. Secy.

## INCOME-TAX

*New Delhi, the 20th September 1956*

**S.R.O. 2162.**—In exercise of the powers conferred by sub-section (2) of section 58L of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby makes the following further amendments in the Indian Income-tax (Provident Funds Relief) Rules, the same having been previously published as required by sub-section (1) of the said section read with sub-section (4) of section 59 of the said Act, namely:—

In rule 4 of the said rules—

(a) For the proviso to clause (d) of sub-rule (1), the following proviso shall be substituted, namely:—

‘Provided that in the case of an employee whose income under the head “salaries” does not exceed Rs. 3,600 per annum, the Trustees of the Fund may, in their discretion, waive the condition that such house or site shall be assigned to them and instead require as a condition that the employee shall not encumber or alienate the property in any manner’;

(b) In sub-rule (2), the words ‘reside with and’ shall be omitted.

[No. 66.]

P. N. DAS GUPTA, Dy. Secy.

## CUSTOMS

*New Delhi, the 22nd September 1956*

**S.R.O. 2163.**—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 151-Customs, dated the 17th September, 1955, namely:—

In the said notification—

- (i) for the figures “1956” the figures “1957” shall be substituted;
- (ii) the words “unless this period is reduced or extended by a further notification in this behalf” shall be omitted.

[No. 76.]

W. SALDANHA, Dy. Secy.

## CUSTOMS

*New Delhi, the 29th September 1956*

**S.R.O. 2164.**—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby prohibits the bringing by sea or by land into India or the State of Pondicherry of any copy of the English

Book styled "The Ramayana" by Aubrey Menen, published by Charles Scribner's Sons, New York, or any translation, reprint or other document containing a substantial reproduction of any matter contained in the said book.

[No. 85.]

M. A. RANGASWAMY, Dy. Secy.

ORDER

STAMPS

New Delhi, the 24th September, 1956

**S.R.O. 2165.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the stamp duty chargeable on the lease deed executed on the 31st July, 1956 by the High Commissioner for the United Kingdom in India in respect of the first floor of the flat No. 118, Sunder Nagar, New Delhi.

[No. 17.]

M. R. RAMACHANDRAN, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 20th September, 1956

**S.R.O. 2166.**—In exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Indian Income-tax (Provident Funds Relief) (Central Board of Revenue), Rules, the same having been previously published as required by sub-section (4) of the said section, namely:—

In rule 7 of the said rules, for the words and figures 'whose income under the head "salaries" is Rs. 3,000 or over per annum', the words and figures 'in respect of whom a return is required to be furnished under rule 16 of the Indian Income-tax Rules, 1922' shall be substituted.

[No. 67.]

P. N. DAS GUPTA, Secy.

LAND CUSTOMS

New Delhi, the 29th September 1956

**S.R.O. 2167.**—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (19 of 1924), the Central Board of Revenue hereby makes the following further amendment in its notification No. 22-Customs, dated the 2nd February 1952, namely:—

In the Schedule annexed to the said notification, under the heading 'D Land Customs areas under the jurisdiction of the Collector of Land Customs, Shillong', and the sub-heading 'DHUBRI CIRCLE' for the existing entry in column 2 against 'GOLAKGANJ RAILWAY STATION', the following entries shall be substituted, namely:—

- "(a) Railway line from GOLAKGANJ to SONAHAT Railway Station.
- (b) Road from Village KANURI (District GOALPARA, INDIA), to Village BANURKUTHI (Dist. RANGPUR, EAST PAKISTAN)".

[No. 86.]

S. K. BHATTACHARJEE, Secy.

## MINISTRY OF FOOD AND AGRICULTURE

(I.C.A.R.)

New Delhi, the 7th September 1956

**S.R.O. 2168.**—In exercise of the powers conferred by Sub-section (2) of Section 4 of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to nominate Dr. Lal C. Verman, Director, Indian Standards Institution, Delhi, as Chairman of the Advisory Board of the Indian Lac Cess Committee for a term of three years with effect from the 1st April 1956, *vice* Prof. G. I. Finch.

[No. 4-1/56-Com.I.]

**S.R.O. 2169.**—In exercise of the powers conferred by Section 4(4) (vii) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to nominate Dr. Lal C. Verman, Director, Indian Standards Institution, Delhi, as a member of the Governing Body of the Indian Lac Cess Committee for a term of 3 years with effect from the 1st October, 1956, *vice* Prof. G. I. Finch whose term expires on that date.

[No. 4-1/56-Com.I.]

New Delhi, the 10th September, 1956

**S.R.O. 2170.**—The following draft of a further amendment to the Indian Oil-seeds Committee Rules, 1947, which the Central Government proposes to make in exercise of the powers conferred by section 17 of the Indian Oilseeds Committee Act, 1948 (IX of 1946), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 9th October, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

*Draft Amendment*

In sub-rule (1) of rule 19 of the said Rules, the words, brackets and figures "Subject to the provisions of sub-rule (3) of rule 24" shall be omitted.

[No. 5-109/51-Com.I.]

## CORRIGENDUM

New Delhi, the 10th September, 1956

**S.R.O. 2171.**—In the notification of the Government of India in the Ministry of Food & Agriculture No. 3-38/56-Com.I dated the 3rd July 1956 published on pages 1202—1211 as S.R.O. 1599 in part II—Section 3 of the Gazette of India, dated the 14th July, 1956, the following corrections shall be made:

(i) On page 1204, under "Authority in support of payment", for "letter No. 551" read "letter No. 5651".

(ii) On page 1206, under "payments" against "Measures pertaining to the function of the Committee", for "71,7788-4-11", read "71,778-4-11".

(iii) On page 1206, under "Receipt" against "Balance with the High Commissioner for London", for "8,303-6-0" read "8,300-6-0".

(iv) On page 1209, for "6,116-9-0" read "6,116-8-0".

(v) On page 1210, under "Liabilities" against item 3:—

(a) for,

"1,02,346-14-6½  
12,675-13-0"

"1,02,346-14-6½

12-675-13-0"

1,15,022-11-6½"

(b) for "242-8-9" read "242-8-0".

(c) for "1,18,311-11-6½" read "1,18-331-11-6½".

(d) for "17,008-9-7" read "17,008-9-7½".

(vi) On page 1210 under "Assets", 3,985-6-0 shown against "6. Investments Fluctuation A/c" should be shown against "7. Advance to Subscribers".

(vii) On page 1211, for "Secretary, Asstt Lac Cess Committee," read "Secretary, Indian Lac Cess Committee".

[No. 3-38/56-Com.1.]

MOKAND LALL, Under Secy.

**(Directorate of Marketing and Inspection)**

New Delhi, the 5th September 1956

**S.R.O. 2172.**—For the purposes of the Government of India, Ministry of Finance (Revenue Division), Notification No. S.R.O. 3753, dated the 26th December, 1955, published in the Gazette of India Part II Section 3, Extraordinary, dated the 26th December, 1955, I hereby authorise Shri U. N. Shukla, Deputy Marketing Development Officer, Essential Oils Grading Scheme, Cochin, to issue certificates to the effect that Lemongrass oil has been graded in accordance with the provisions of the Essential Oils Grading and Marking Rules 1954, issued under Section 3 of the Agricultural Produce (Grading and Marketing) Act, 1937 (1 of 1937) with effect from 8th September, 1956, until further orders.

[No. F.3(29)/56-Plg. (E.O.)]

New Delhi, the 7th September 1956

**S.R.O. 2173.**—In the Directorate of Marketing and Inspection notification of even number dated the 5th September, 1956, for the "8th September, 1956" please read "5th September, 1956".

[No. F.3(29)/56-Plg. (E.O.)]

M. B. GHATGE,  
Agricultural Marketing Adviser.

**MINISTRY OF HEALTH**

New Delhi-2, the 19th September 1956

**S.R.O. 2174.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendment to the College of Nursing (Central Services, Class I and Class II) Recruitment Rules, 1955, issued in the Notification of the Government of India in the Ministry of Health SRO, No. 300, dated the 3rd February, 1956:—

In Appendix I to the said rules, in Schedule II (Central Services, Class II Posts), under Category II for the entries relating to item I, the following shall be substituted, namely:—

1	2	3	4	5	6
"1 Assistant Surgeon' Edwina Mount- batten Mobile Nursing Clinic	Rs. 260—15—440—20— 500 plus 25% of pay as non-prac- tising allowance	..	..	..	At the usual rate"

2. This amendment takes effect from the 3rd February, 1956.

[No. F.1-37/56-MIL]

A. T. SESHADRI, Under Secy.

## MINISTRY OF TRANSPORT

## (Roads Wing)

New Delhi, the 22nd September 1956

**S.R.O. 2175.**—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the State of Kutch the Bombay Highways Act, 1955 (Bombay Act LV of 1955), as at present in force in the State of Bombay, subject to the following modifications, namely:—

*Modifications*

(1) Throughout the said Act, for the words "State Government", wherever they occur, except in the following sections, the words "Chief Commissioner of Kutch" shall be substituted:—

- (i) sub-section (1) of section 17;
- (ii) section 19, where the words occur for the second time;
- (iii) section 20;
- (iv) section 22;
- (v) section 46;
- (vi) proviso to section 47;
- (vii) section 48, where the words occur for the second time;
- (viii) clause (h) of sub-section (2) of section 71.

## (2) In the said Act,—

(a) in sub-section (2) of section 1, for the word "Bombay", the word "Kutch" shall be substituted;

(b) in section 6, for the words "as it deems necessary", the words "as he deems necessary" shall be substituted;

## (c) in section 7,—

(i) in sub-section (2), for the words "it proposes", the words "he proposes" shall be substituted;

(ii) in sub-section (4) (b), for the words "as it thinks fit", the words "as he thinks fit" shall be substituted;

(d) in sub-section (2) of section 10, for the words "as it thinks fit", the words "as he thinks fit" shall be substituted;

(e) for sub-section (1) of section 35, the following sub-section shall be substituted, namely:—

"(1) Any person aggrieved by the award of the Highway Authority or the officer authorised under section 28 may, by a written application to the Highway Authority or such officer, require that the matter be referred to the District Judge;

(f) in section 37, the words "Commissioner of Police or" in the marginal note and the words "in Greater Bombay to the Commissioner of Police, and elsewhere," and "the Commissioner", occurring in the section shall be omitted;

(g) for sub-section (1) of section 44, the following sub-section shall be substituted, namely:—

"(1) Any person aggrieved by the order fixing the betterment charges may, by a written application to the officer authorised under section 41, require that the matter be referred to the District Judge";

(h) in sub-section (5) of section 52, for the word "it", the word "he" and for the word "its", the word "his" shall be substituted;

(i) in section 64, the words and figures "in the Bombay City Land Revenue Act, 1876, or" and "as the case may be" shall be omitted;

## (j) in section 65,—

(i) in sub-section (1), the words and figures "the Bombay City Land Revenue Act, 1876, or" and "Act or" shall be omitted;

(ii) in sub-section (2), the words and figures "the Bombay City Land Revenue Act, 1876, or" shall be omitted;

(k) in section 72, the Explanation shall be omitted;

(l) in section 73, for the words "any other law make by the State Legislature or any law which the State Legislature is competent to make or to amend", the words "any other law" shall be substituted.

#### ANNEXURE

#### BOMBAY ACT NO. LV OF 1955

An Act to provide for the restriction of ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters.

Whereas it is expedient to provide for the restriction of ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters; It is hereby enacted in the Sixth Year of the Republic of India as follows:—

#### CHAPTER I

##### PRELIMINARY

**1. Short title, extent and commencement.**—(1) This Act may be called the Bombay Highway Act, 1955.

(2) It shall extend to the whole of the State of Kutch.

(3) This section shall come into force at once. The Chief Commissioner of Kutch may, by notification in the Official Gazette, direct that all or any of the remaining provisions of this Act shall come into force in such area and on such date as may be specified in the notification:

Provided that the Chief Commissioner of Kutch may, by notification issued in like manner, exclude any road or way or class of roads or ways situate in such area from the operation of all or any of the provisions of this Act.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject of context,—

(a) "animal" means any domestic or captive animal;

(b) "building" includes any erection of whatsoever material and in whatsoever manner constructed (including a farm building for agricultural purposes) and also includes plinths, doorsteps, walls (including compound walls and fences) and the like;

(c) "building line" means a line on either side of any highway or part of a highway fixed in respect of such highway or part by a notification under sub-section (1) of section 7;

(d) "cantonment" means a cantonment established under the Cantonments Act, 1924;

(e) "control line" means a line on either side of a highway or part of a highway beyond the building line fixed in respect of such highway or part by a notification under sub-section (1) of section 7;

(f) "encroachment" means any unauthorised occupation of any highway or part thereof, and includes an unauthorised—

(i) erection of a building or any other structure, balconies, porches, projections, on or over or overhanging the highway;

(ii) occupation of a highway beyond the prescribed period, if any, for stacking building materials or goods of any other description, for exhibiting articles for sale, for erecting poles, awnings, tents, pandals, hoardings and other similar erections or for parking vehicles or stabling animals or for any other purpose, and

(iii) excavations or dumps of any sort made or extended on any highway or underneath such highway;

(g) "to erect" with its grammatical variations in relation to a building means to construct, reconstruct, extend or alter structurally a building;

(h) "excavation" in relation to any piece of land does not include any workings which do not pierce the surface of that piece of land; but includes wells and tanks;

(i) "highway" means any road or way over which the public have a right of way or are granted access and which is declared to be a highway under section 3. The expression includes,—

- (i) any land acquired or demarcated with a view to construct a highway along it;
- (ii) the slopes, berms, borrow-pits, foot-paths, pavements and side, catch and boundary drains attached to such road or way;
- (iii) all bridges, culverts, causeways, carriageways and other structures, built on or across such road or way; and
- (iv) the trees, fences, posts boundary, furlong and mile stones, and other highway accessories and materials and material stacked on the road or way;

(j) "Highway Authority" means the authority appointed as such or to which the functions of such authority are entrusted under section 4;

(k) "highway boundaries" means the boundaries of a highway fixed in respect of such highway by a notification under sub-section (1) of section 7;

(l) "means of access" includes any means of access, whether private or public, for vehicles or for foot passengers and includes any street;

(m) "middle of highway" means the point half-way between the highway boundaries;

(n) "occupier" includes,—

- (a) any person who for the time being is paying or is liable to pay to the owner rent or any portion of the rent of the premises in respect of which such rent is paid or is payable;
- (b) an owner living in or otherwise using his premises;
- (c) a rent-free tenant;
- (d) a licensee in occupation of any premises; and
- (e) any person who is liable to pay to the owner damages for the use and occupation of any premises;

(o) "owner" means,—

(a) when used with reference to any premises, the person who receives the rent of the said premises or who would be entitled to receive the rent thereof if the premises were let and includes,—

- (i) an agent or trustee who receives such rent on account of the owner;
- (ii) an agent or trustee who receives the rent of, or is entrusted with, or concerned for, any premises devoted to religious or charitable purposes;
- (iii) a receiver, sequestrator or manager appointed by any court of competent jurisdiction; and
- (iv) a mortgagee-in-possession;

(b) when used with reference to an institution or a body corporate, the manager of such institution or body corporate;

(p) "prescribed" means prescribed by rules made under this Act (IX of 1890);

(q) "railway administration" has the same meaning as in the Indian Railways Act, 1890;

(r) "vehicle" includes a barrow, sledge, plough, drag and a wheeled conveyance of any description capable of being used on a highway;

(s) the expressions "land", "persons interested" and "persons entitled to act" used in this Act shall have the same meaning as the said expressions have in the Land Acquisition Act, 1894 (I of 1894).

## CHAPTER II

### DECLARATION OF HIGHWAYS, HIGHWAY AUTHORITIES AND THEIR POWERS AND FUNCTIONS

**3. Declaration of roads, ways or lands as highways.**—The Chief Commissioner of Kutch may, by notification in the Official Gazette, declare any road, way or land to be a highway and classify it as—

- (i) a State highway (Special),
- (ii) a State highway,
- (iii) a major district road,

- (iv) other district road, or
- (v) a village road.

**4. Appointment of Highway Authorities.**—The Chief Commissioner of Kutch may, by notification in the Official Gazette, appoint for the purpose of this Act or any of its provisions any person or any authority to be a Highway Authority for all the highways in the State or, in parts of the State, or for any particular highway or highways in the State, specified in the notification.

**5. Powers and Duties of Highway Authorities.**—Subject to such conditions as may be specified in the notification appointing a Highway Authority and subject to the general or special orders of the Chief Commissioner of Kutch, a Highway Authority shall exercise powers and discharge duties in accordance with the provisions of this Act for the restriction of ribbon development along highways, for the prevention and removal of encroachments and for all matters necessary and incidental to any or all of the above subjects. Also subject to the approval of the Chief Commissioner of Kutch and to such general or special orders which the Chief Commissioner of Kutch may make in this behalf, it shall be lawful to a Highway Authority to undertake the construction, maintenance, development or improvement of highways.

**6. Officers and servants of Highway Authority.**—For the purpose of enabling a Highway Authority to exercise the powers conferred and to discharge the duties imposed upon it by or under the provisions of this Act, the Chief Commissioner of Kutch may appoint such officers and servants as he deems necessary to work under such Authority.

### CHAPTER III

#### RESTRICTION OF RIBBON DEVELOPMENT

**7. Power to fix boundary, building and control lines of highways.**—(1) In any area in which the provisions of this Act have been brought into force, and

- (i) where any road, way or land has been declared to be a highway under section 3, or
- (ii) where the construction or development of a highway is undertaken, the Chief Commissioner of Kutch may, by notification in the Official Gazette, fix, as respects such highway, the highway boundary, the building line and the control line:

Provided that having regard to the situation or the requirements of a highway or the condition of the local area through which a highway passes, it shall be lawful for the Chief Commissioner of Kutch—

- (1) to fix different building or control lines, or
- (2) not to fix building or control lines, in respect of any highway or portions thereof.

(2) Not less than sixty days before issuing a notification under sub-section (1) the Chief Commissioner of Kutch shall cause to be published in the Official Gazette and in the prescribed manner in the village and at the headquarters of the taluka or mahal of the district in which the highway is situate a notification stating that he proposes to issue a notification in terms of sub-section (1), and specifying therein all the lands situated between the highway boundary and the control line proposed to be fixed under such notification and in the case of new works, also lands benefiting by the construction or development of the highway, as the case may be, together with a notice requiring all persons affected by such notification, who wish to make any objections or suggestions with respect to the issue of such a notification, to submit their objections or suggestions in writing to the Highway Authority or appear before such authority, within two months of the publication of the notification in the Official Gazette or within one month from the date of the publication of the notification in the village, whichever period expires later.

(3) The Highway Authority shall, after all such objections or suggestions have been considered or heard, as the case may be, and after such further inquiry, if any, as it thinks necessary, forward to the Chief Commissioner of Kutch a copy of the record of its proceedings held by it together with a report setting forth its recommendations on the objections or suggestions.

(4) If, before the expiration of the time allowed by sub-section (2) for the filing or hearing of objections or suggestions, no objection or suggestion has been made, the Chief Commissioner of Kutch shall proceed at once to issue the notification under sub-section (1). If any such objection or suggestion has been made,

the Chief Commissioner of Kutch shall consider the record and the report referred to in sub-section (3) and may either—

- (a) abandon the proposal to issue the notification under sub-section (1), or
- (b) issue the notification under sub-section (1) with such modifications, if any, as he thinks fit.

(5) In considering the objections or suggestions, the decision of the Chief Commissioner of Kutch on the question of issuing the notification under sub-section (1) shall be final and conclusive.

**8. Map to be prepared and maintained.**—Within two months from the date of publication of the notification under sub-section (1) of section 7 fixing the highway boundary, building line and control line with respect to any highway, the Highway Authority shall cause a map to be made of the area through which such highway passes and shall cause to be marked thereon the highway boundaries and building and control lines and any other particulars necessary for the purposes of this Act and within one month from the date of making any alteration or addition thereto cause the said map to be corrected and such map with the date indicated thereon of the last time when the same shall have been so corrected shall be kept in the office of the Highway Authority. Such map, which shall bear the seal of the Highway Authority shall be open to inspection. Copies of such map shall also be kept for inspection at such other places as may be prescribed.

**9. Restrictions on buildings between highway boundary and building line and between building and control lines.**—(1) Notwithstanding anything contained in any law, custom, agreement or instrument for the time being in force, on or after the appointed day the following restrictions shall, subject to the provisions of this Act, be in force, that is to say,—

No person shall, without the previous permission in writing of the Highway Authority,—

- (a) upon any land lying between the highway boundary and the building line proposed to be fixed under sub-section (2), or fixed under sub-section (1), of section 7, as the case may be,
  - (i) construct, form or lay out any means of access to, or from, a highway, or
  - (ii) erect any building, or
  - (iii) materially alter any existing building, or
  - (iv) make or extend any excavation, or
  - (v) construct, form or lay out any works; or
- (b) upon any land lying between the building line and the control line proposed to be fixed under sub-section (2), or fixed under sub-section (1), of section 7, as the case may be,
  - (i) construct, form or lay out any means of access to, or from, a highway, or
  - (ii) erect any building, or
  - (iii) materially alter any existing building;
- (c) use any building or alter the use of any building already erected in a manner which in the opinion of the Highway Authority will, in any manner whatsoever, infringe any of the provisions of this Act or interfere with the use of a highway adjoining the land on which such building is erected.

(2) Every person desiring to obtain such permission under sub-section (1) shall make an application in writing to the Highway Authority in such form and containing such information as may be prescribed in respect of the building, alteration, excavation, works or means of access, as the case may be, to which the application relates.

(3) On receipt of such application, the Highway Authority, after making such enquiries as it may consider necessary, shall, by order in writing, either—

- (a) grant the permission, subject to such conditions, if any, as may be specified in the order, or
- (b) refuse to grant such permission:

Provided that—

(i) permission under clause (a) of sub-section (1) to the making of any excavation or construction, formation or laying out of works in land for the purpose of repairing, renewing, enlarging or maintaining any underground sewer, drain, electric line, pipe, duct or other apparatus shall not be withheld nor be made subject to any conditions save such as may be necessary for securing that the sewer, drain, electric line, pipe, duct or other apparatus shall be laid in such manner and at such levels that the construction, maintenance, development or improvement of a road thereover will not be prevented or prejudicially affected thereby;

(ii) permission under clause (b) of sub-section (1) to the erection or alteration of a building or laying out any means of access to a highway which conforms to the requirements of public health, and welfare and of safety and convenience of traffic on the adjoining road shall neither be withheld nor made subject to unreasonable conditions:

Provided that in the case of means of access required for agricultural purposes such permission shall neither be withheld nor be made subject to any conditions save such as may be necessary for securing that the means of access shall be used for agricultural purposes only;

(iii) permission under clause (b) of sub-section (1) to the re-erection or alteration of a building which was in existence before the appointed day shall neither be withheld nor made subject to restrictions unless such re-erection or alteration involves any material alteration to the outside appearance of the building.

(4) When the Highway Authority refuses permission, the reasons therefor shall be recorded and communicated to the applicant:

Provided that nothing herein contained shall debar a person from making a fresh application after omitting therefrom the objectionable features communicated to him as aforesaid on account of which such permission was refused.

(5) If at the expiration of a period of three months after an application for such permission specifying the name and address of the applicant has been made to the Highway Authority, or such further period not exceeding three months as may have been notified by the Highway Authority has elapsed and no decision has been notified in writing, posted or delivered to the applicant at that address, then (except as may otherwise be agreed in writing between the Highway Authority and the applicant) permission shall be deemed to have been given without the imposition by the Highway Authority of any conditions.

(6) The Highway Authority shall maintain a register with sufficient particulars of all permissions given or refused by it under this section and the register shall be available for inspection free of charge by all persons interested and such persons shall be entitled to take extracts therefrom.

*Explanation.*—For the purpose of this section, the “appointed day” shall, with reference to any highway boundary, building line or control line, mean—

(1) the day on which a notification is published in the Official Gazette under sub-section (2) of section 7 proposing to fix such highway boundary, building line or control line, and

(2) if any modification is made in such highway boundary, building line or control line, the day on which the notification is published under sub-section (1) of section 7 fixing such highway boundary, building line or control line.

10. **Appeal.**—(1) If any applicant is aggrieved by any decision of the Highway Authority under section 9, withholding permission, or imposing any condition, he may appeal to the Chief Commissioner of Kutch within 30 days from the date on which such decision was communicated to him.

(2) The Chief Commissioner of Kutch may, after giving an opportunity to the applicant to be heard, make such order as he thinks fit upon the appeal and the decision of the Chief Commissioner of Kutch shall be final.

11. **Exemptions for works in progress, etc.**—(1) No restrictions in force under section 9 shall apply to the erection or making of a building or excavation or to the construction, formation or laying out, of any means of access or works begun before the appointed day referred to in section 9.

(2) No restrictions in force under section 9, except restrictions as to the construction, formation or laying out, of means of access, shall apply to any land forming part of a burial or cremation ground or other place for the disposal of the dead being land which has, before the passing of this Act, been used for such purpose.

(3) No restrictions in force under section 9 shall apply to any excavation or works necessary in connection with any drains, ditches, or other drainage works for agricultural purposes or to any works necessary for the repair, renewal, enlargement or maintenance of any sewer, drain, electric line, pipe, duct, or other apparatus, constructed in or upon the land before the date on which the restrictions came into force or with the consent of the Highway Authority on or after that date.

**12. Setting back of buildings to building line or control line.**—Whenever any building or any part thereof erected before the appointed day referred to in section 9 lies between the building line and the middle of the highway the Highway Authority may, whenever any such building or part has either entirely or in greater part been taken down, burnt down or fallen down, by notice require such building or part when re-erected to be set back to the building line or control line.

**13. Regulation or diversion of right of access to highway.**—(1) The Highway Authority may, if it is considered essential in the interests of safety or convenience of traffic, regulate or divert any existing right of access to a highway across land lying between the control line and the highway boundary:

Provided that the existing right of access shall not be diverted until alternative access has been given.

(2) Where the existing right of access is diverted, the point at which alternative access is given to the highway shall not be unreasonably distant from the existing point of access.

(3) The Highway Authority shall by notification in the Official Gazette publish the date on which the existing right of access has been diverted and alternative access has been given.

**14. Powers of Highways Authority and Officers and servants appointed under section 6 in respect of surveys.**—For the purpose of carrying out any of the provisions of this Act, the Highway Authority and the officers and servants appointed under section 6 may—

- (a) enter upon, survey and take measurements and levels of any land;
- (b) mark such levels, dig or bore into the subsoil of any land;
- (c) demarcate the boundaries of the highway by planting stones or other suitable marks in different colours of a durable nature at intervals all along the highway in such a manner that the imaginary line joining such stones or marks shows the road boundary correctly;
- (d) where there are bends or kinks on the road boundary, locate the stones or marks in different colours so as to give the correct configuration of the boundary if they are joined by straight lines;
- (e) give consecutive numbers to such boundary stones or marks and maintain them on the ground as if they constituted part of the highway;
- (f) lay out the building and control lines by placing marks in different colours and cutting trenches;
- (g) if the survey cannot otherwise be made, or measurements or levels taken or boundaries marked and lines laid out, cut down and clear away any standing crop, tree, fence or jungle or any part thereof;
- (h) do all other acts necessary in that behalf:

Provided that the Highway Authority shall not, except with the consent of the occupier thereof, enter or permit any of the officers or servants to enter any premises without previously giving such occupier at least forty-eight hours' notice in writing of its intention to do so.

**15. Acquisition of land or right or interest in land.**—If at any time on the application of the highway Authority, the Chief Commissioner of Kutch is satisfied that any land required for the purposes of a highway or any right or interest of any person in any land required for the said purposes should be compulsorily acquired or extinguished, as the case may be, it shall be lawful for the Chief Commissioner of Kutch to publish a notification to that effect in the Official Gazette. Such notification shall also be published in such other manner

as may be prescribed. A notification so published shall be deemed to be a declaration that the land is needed, or as the case may be, the right or interest is required to be extinguished for the purpose of the highway; and such declaration shall be conclusive that the land is so needed, or the right or interest is so required to be extinguished.

**16. Land required to be marked and measured.**—The Highway Authority or any officer or servant authorised by the Highway Authority shall thereupon cause the land to be marked out. It shall also cause it to be measured and if no plan is made thereof, a plan to be made of the same.

**17. Public notice and other notices of such requirement for acquisition.**—(1) The Highway Authority shall then cause a public notice to be given at convenient places on or near such land stating that the State Government intends to take possession of the land, or as the case may be, to extinguish any right or interest in the land and that claims to compensation for all interest in such land, or any right or interest in land to be extinguished may be made to such officer as the Highway Authority may designate.

(2) Such notice shall state the particulars of the land so needed or right or interest in land to be extinguished and shall require all persons interested in the land or in the right or interest to be extinguished to appear personally or by agent before such officer as may be designated, at the time therein mentioned (such time not being earlier than fifteen days after the date of the publication of the notice) and to state the nature of their respective right or interest in the land, or as the case may be, in the right or interest to be extinguished and the amount and the particulars of their claims to compensation for such right or interest or both and their objections, if any, to the measurements made under section 16. The Highway Authority may, in any case, require such statement to be made in writing and signed by the party or his agent.

(3) The Highway Authority shall also serve notice to the same effect on the occupier of such land and on all such persons known or believed to be interested therein or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the district in which the land is situate.

(4) In case any person so interested resides elsewhere, a notice shall be served in the manner provided in section 70.

**18. Persons required to make statements regarding other persons having interest.**—(1) The Highway Authority or the officer authorised by it may also require any such person to make or deliver to it or him at a time not being earlier than fifteen days after the date of the requisition a statement containing, as far as may be practicable, the name of every other person possessing any interest in the land or in any part thereof, or as the case may be, in any right or interest in land to be extinguished as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and of the nature of such interest, and of the rents and profits, if any received or receivable on account thereof in respect of the three years next preceding the date of such statement.

(2) Every person required to make or deliver a statement under this section or under section 17 shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code (XLV of 1860).

**19. Taking possession of land.**—At any time after the publication of a notification under section 15, the Chief Commissioner of Kutch may direct that the land specified in the notification shall be taken possession of, or as the case may be, the right or interest specified therein shall be extinguished from such date as may be specified in the direction. From such date the said land shall vest absolutely in the State Government free from all encumbrances, or as the case may be, such right or interest therein shall be extinguished.

#### CHAPTER IV

##### PREVENTION OF UNAUTHORISED OCCUPATION OF AND ENCROACHMENT ON A HIGHWAY AND REMOVAL OF ENCROACHMENT

**20. Lands forming part of highway deemed to be Government property.**—All lands forming part of a highway which do not already vest in the State Government shall, for the purpose of this Chapter, be deemed to be the property of the State Government.

**21. Prevention of unauthorized occupation of highway.**—(1) No person shall occupy or encroach on any highway within the highway boundaries without obtaining the previous permission in writing of the Highway Authority or an officer authorized in this behalf by the Highway Authority.

(2) The Highway Authority or an officer authorized by the Highway Authority in this behalf may with due regard to the safety and convenience of traffic and subject to such conditions as may be imposed and such rules as may be prescribed by the Chief Commissioner of Kutch, and on payment of such rent or other charges as may be prescribed under such rules, permit any person,—

- (i) to place a temporary encroachment on any highway in front of any building owned by him or make a temporary structure overhanging the highway, or
- (ii) to put up a temporary awning or tent, pandal or other similar erection or a temporary stall or scaffolding on any highway, or
- (iii) to deposit or cause to be deposited building materials, goods for sale or other articles on any highway, or
- (iv) to make a temporary excavation for carrying out any repairs or improvements to adjoining buildings:

Provided that no such permission shall be deemed to be valid beyond a period of one year unless expressly renewed by the Highway Authority or the authorized officer.

(3) The permission so granted shall clearly specify the date up to which the person is authorized to occupy the highway, the purposes for which occupation is authorized and the exact portion of the highway permitted to be occupied, and shall also be accompanied by a plan or sketch of that portion of the highway, if necessary.

(4) The person in whose favour such a permission has been given shall produce the permit for inspection whenever called upon to do so by the Highway Authority or any officer by a general or special order empowered in that behalf and shall at the end of the period specified in the permit release the land occupied by him after restoring it to the same state as before the occupation by him.

(5) The Highway Authority or the officer issuing the permission shall maintain a complete record of all such permissions issued, and shall also cause a check-up to be made in every case at the expiration of the period up to which occupation has been authorized to ensure that the land has actually been vacated.

**22. Power to cancel permit.**—(1) The Highway Authority may cancel any permission granted under section 21—

- (a) if any rent or charge is not duly paid,
- (b) if the purpose for which the permission was given has ceased to exist,
- (c) in the event of any breach by the holder of such permission or of any terms or conditions of such permission,
- (d) if the land on which such encroachment has been made is required for any public purpose or such encroachment is causing impediment or danger to traffic.

(2) Where the permission has been cancelled under clause (b) or (d) of sub-section (1), any rent or charge paid in advance shall be refunded to the holder of such permission less the amount, if any, due to the State Government.

**23. Prevention of encroachment.**—(1) When as a result of check of highway boundaries made or otherwise, it transpires that an encroachment has taken place on a highway the Highway Authority or the officer authorized under sub-section (1) of section 21 shall serve a notice on the person responsible for the encroachment or his representative requiring him to remove such encroachment and restore the land to its original condition before the encroachment within the period specified in the notice.

(2) The notice shall specify the land encroached upon and the time-limit within which such encroachment shall be removed and shall also state that failure to comply within the specified period shall render the person liable to prosecution and also to summary eviction.

(3) If the encroachment is not removed within the time-limit specified in the notice and no valid cause is shown for non-compliance, the Highway Authority or the authorized officer referred to in sub-section (1) may prosecute such person before the appropriate Magistrate for his having made or caused the encroachment and for his failure to remove it within the specified time.

(4) Where the encroachment is made for the purpose of exposing articles for sale, opening temporary booths for vending or other like purpose of a trivial nature the Highway Authority or the authorized officer referred to in sub-section (1) may, with the help of the police, if necessary, have such encroachment summarily removed without issuing a notice as required by sub-section (1), or in lieu of removal of the encroachment, may give the person responsible for the encroachment option of executing a lease in favour of the Highway Authority on payment of rent for the area encroached upon.

(5) When the encroachment is of a temporary nature and can easily be removed but is not such as can be described as trivial within the meaning of sub-section (4), the Highway Authority or the authorized officer referred to in sub-section (1) may in addition to or in lieu of prosecuting the person responsible for the encroachment under sub-section (3) have the encroachment summarily removed with the assistance of the police, if necessary.

(6) Where the encroachment is of such a nature that its immediate removal is considered essential in the interests of safety of traffic on the highway or the safety of any structure forming part of the highway, the Highway Authority or the authorized officer referred to in sub-section (1) may, in addition to prosecuting the person under sub-section (3), either—

- (i) have such protective work, as may be feasible at a reasonable cost, carried out so as to minimise the danger to traffic on the highway, or
- (ii) have the encroachment removed with the help of the police, if necessary.

**24. Appeal against notice served under sub-section (1) of section 23.**—Where the person on whom notice to remove an encroachment has been served under sub-section (1) of section 23 lays claim that the land in respect of which encroachment has been alleged is his property or that he has acquired a right over it by virtue of adverse possession or otherwise he shall within the time-limit prescribed in the notice for the removal of the encroachment, file an appeal before the Collector under intimation to the Highway Authority or the officer authorized under sub-section (1) of section 21, as the case may be. The Collector shall after due enquiry record his decision in writing and communicate the same to the appellant and the Highway Authority or such officer. The Highway Authority or such officer shall till then desist from taking further action in the matter.

**25. Recovery of cost of removal of encroachment.**—(1) Whenever the Highway Authority or the officer authorized under sub-section (1) of section 21 has under the provisions of section 23 removed any encroachment or carried out any protective work in respect of any encroachment, the expenditure involved shall be recovered from the person responsible for the encroachment in the manner hereinafter provided.

(2) A bill, representing the expenditure incurred shall be served by the Highway Authority or the authorized officer referred to in sub-section (1) on the person responsible for the encroachment or his representative with a direction to pay up the amount within a specified period to the authority mentioned in the bill.

(3) The bill shall be accompanied by a certificate from the Highway Authority or the authorized officer referred to in sub-section (1) to the effect that the amount of expenditure indicated in the bill represents the charges incurred and such a certificate shall be conclusive proof that the charges had actually been incurred.

(4) The materials, if any, recovered as a result of the removal of any encroachment shall be handed over to the person responsible for the encroachment on payment of the amount of the bill by him but in the event of his failure to pay up the amount within the specified period, the materials may be auctioned and after deducting the amount of the bill from the proceeds, the balance, if any, shall be made over to such person.

(5) If the proceeds of the auction sale do not cover the total amount billed for, the excess over the amount realised by the sale of materials, or if there are no materials to dispose of and the billed amount has not been paid by the person responsible for the encroachment within the specified period, the entire amount of the bill shall be recovered from such person as an arrear of land revenue.

CHAPTER V  
COMPENSATION

**26. Doing minimum damage in certain cases and compensation.**—In the exercise of the powers under the following provisions by the Highway Authority or any officer or servant appointed under section 6 or any other person authorised by or under this Act by the Chief Commissioner of Kutch as little damage as can be shall be done and compensation in the manner prescribed by or under this Act shall be paid to any person who sustains damage in consequence of the exercise of such powers, namely:—

- (a) the imposition of restrictions under section 9;
- (b) the setting back of any building or part thereof under section 12;
- (c) the regulation or diversion of any right of access to a highway under section 13;
- (d) the entry, survey, measurement and doing of any of the acts on any land under section 14;
- (e) the acquisition of any land or the extinguishment of any right or interest in the land under section 15;
- (f) the closure of any highway or part thereof under section 52.

**27. Determination of amount of compensation by agreement.**—The amount of compensation payable under section 26, the persons to whom it is to be paid and the apportionment of such amount among the persons interested therein shall be determined by agreement between the Highway Authority or any officer authorised by the Chief Commissioner of Kutch and the person or persons claiming interest therein.

**28. Determination of amount of compensation in default of agreement.**—(1) In default of any agreement under section 27, the Highway Authority or the officer authorised by the Chief Commissioner of Kutch shall subject to the provisions of this Act, after holding an enquiry, make an award determining—

- (a) the true area of the land, if any, acquired,
- (b) the amount of compensation to be paid under section 26,
- (c) the apportionment, if any, of such compensation amount all persons known or believed to be entitled thereto.

(2) In determining the amount of compensation the matters specified in sections 23 and 24 of the Land Acquisition Act, 1894 (1 of 1894), as amended by the Schedule to this Act shall be taken into consideration.

**29. No compensation if similar restrictions in force under any other law or if compensation already received.**—No compensation shall be awarded—

- (i) if and in so far as the land is subject to substantially similar restrictions in force under some other law which was in force on the date on which the restrictions were imposed by this Act;
- (ii) if compensation in respect of the same restrictions imposed under this Act or substantially similar restrictions in force under any other law has already been paid in respect of the land to the claimant or to any predecessor in interest of the claimant.

**30. Compensation for refusal of permission to build not to exceed difference between its value when it was refused and when it would have been granted.**—When permission to erect any building has been refused under section 9 or 10, the amount of compensation shall not exceed the difference between the value of the land as determined by section 23 or 24 of the Land Acquisition Act, 1894 (1 of 1894), as amended by the Schedule to this Act and the value which it would have had if the permission had been granted. In determining such value any restrictions to which the land is subject under any other law for the time being in force in regard to the right of person claiming compensation to erect a building on the land or otherwise to use, hold or dispose of the same shall be taken into consideration.

**31. Compensation for diversion of access not to exceed cost of alternative access.**—Where the right of access to a highway has been destroyed as a result of the diversion or closure thereof and an alternative access has been given, the amount of compensation shall in no case exceed the cost of laying a new means of access from the property of the claimant to such alternative route.

**32. Compensation for cutting of standing crops, trees, etc.**—(1) At the time of any entry, survey or measurement or doing of any of the things under section 14, the officer making the entry, survey or measurement or doing any other thing shall pay or tender to any person entitled compensation for all necessary damage done as a result of such entry, survey, measurement or execution of the work, including the cutting of standing crops, trees, or removal of temporary structures, if any, on the land. If the sufficiency of the amount so paid or tendered is disputed, the officer concerned shall at once refer the dispute to the Highway Authority and the said Authority shall with the least practicable delay decide the dispute and pay to the person entitled the amount determined as compensation. The decision of the Highway Authority shall be final.

(2) If at the time of taking possession of the land under section 19 there are any standing crops, trees or temporary structures on the land, the Highway Authority shall pay or tender to the person entitled the amount of compensation for such standing crops, trees or temporary structures. If the sufficiency of such amount is disputed, the value of such crops, trees and temporary structures shall be taken into consideration in determining the amount of compensation for the land under section 28.

**33. No compensation for unauthorised erections.**—If any person has unauthorisedly erected, re-erected, added or altered any building on any land which is acquired for the purpose of a highway, then any increase in the value of the land from such erection, re-erection, addition or alteration shall not be taken into account in estimating the value of the land.

**34. No compensation for removal of encroachment.**—No compensation shall be payable for the removal of any encroachment.

**35. Reference against award of Highway Authority or authorized officer under section 28.**—(1) Any person aggrieved by the award of Highway Authority or the officer authorized under section 28 may, by a written application to the Highway Authority or such officer, require that the matter be referred to the District Judge.

(2) Any such application shall be made within six weeks from the date of the award, and shall be in such form as may be prescribed.

(3) The provisions of section 5, 12 and 14 of the Indian Limitation Act, 1908 (IX of 1908), shall apply to the computation of the time fixed for reference under sub-section (2).

(4) The Highway Authority or the Officer authorised shall make the reference in such manner as may be prescribed.

**36. Procedure and powers of the authorities empowered to decide references under sections 35 and 44.**—(1) References under sections 35 and 44 shall be deemed to be proceedings within the meaning of section 141 of the Code of Civil Procedure, 1908 (V of 1908), and in the trial thereof the authorities empowered to decide such references may exercise all the powers of a civil court under that Code.

(2) The scope of the enquiry in a reference under section 35 or 44 shall be restricted to a consideration of the matters referred to the authorities mentioned in sub-section 1 in accordance with the provisions of this Act.

**37. District Superintendent of Police to enforce surrender or remove any encroachment.**—If the Highway Authority or any officer or servant is opposed or impeded in taking possession of any land or in executing any work or in removing any encroachment under this Act, the Highway Authority or officer or servant concerned shall apply to the District Superintendent of Police or such Police officer as the Chief Commissioner of Kutch, may empower in this behalf, and the District Superintendent or the officer so empowered shall enforce the surrender, removal or execution, as the case may be.

**38. Decisions of authorities under sections 35 and 44 to be enforced as decrees of civil court.**—The decisions of the authorities empowered to decide references under sections 35 and 44 shall be enforceable as a decree of a civil court.

**39. Payment of compensation awarded.**—(1) On the determination of compensation by agreement under section 27, or

(2) on the making of an award under section 28, or

(3) if a reference is made under section 35 against such award, after the decision of the Authority under that section,

the Highway Authority shall make the payment of the compensation awarded to the person entitled thereto in accordance with the agreement, its award or the decision of the Authority empowered to decide references under section 35, as the case may be. The provisions of sections 31 to 34 (both inclusive) of the Land Acquisition Act, 1894, (1 of 1894) shall, mutatis mutandis; apply to such payment.

**40. Payment by adjustment.**—All payments due to be made to any person by way of compensation by the Highway Authority under this Act shall, as far as possible, be made by adjustment in such person's account regarding betterment charges, if any, due from such person under Chapter VI.

## CHAPTER VI

### LEVY OF BETTERMENT CHARGES

**41. Notice to owners and persons interested.**—Where any work which the Highway Authority is empowered to undertake by or under the provisions of this Act is undertaken, the officer authorized by the Chief Commissioner of Kutch in this behalf shall give notice to the persons known or believed to be the owners of or interested in the lands benefited by such work requiring them to appear before him either personally or through an agent at a time and place therein mentioned (such time not being earlier than 30 days from the date of notice) to state their objections, if any, to the imposition and recovery of betterment charges on such lands:

Provided that no such notice shall be given unless the Collector with the previous sanction of the Chief Commissioner of Kutch has declared that the value of such lands is likely to increase or has increased by reason of the construction of such work.

**42. Inquiry and order.**—On the date fixed under section 41 or on such other date to which the inquiry may be adjourned, the officer authorized under section 41 shall, after holding a formal inquiry and after hearing the objections, if any, stated by the persons as required by notice under section 41, make an order. The order shall specify,—

- (a) the lands benefited by the construction of the work,
- (b) the increase in the value of such lands by the proposed construction,
- (c) the amount of the betterment charges leviable on each of the said lands,
- (d) the date from which such betterment charges shall be leviable:

Provided that no betterment charges shall be leviable in respect of any land—

- (a) which is unsuitable for development as a building site, or
- (b) which is situate beyond a distance of one furlong from the middle of the highway on either side.

**43. Increase in value and betterment charges.**—The increase in value on account of the construction of such work shall be the amount by which the value of the land on the date of the completion of the proposed work is likely to exceed or has exceeded the value of the land on the date of the commencement of the said work and the betterment charges shall be one-half of such increase in value.

*Explanation.*—For the purposes of this section, the Chief Commissioner of Kutch shall, by notification in the Official Gazette, specify—

- (a) the date of commencement of the construction of any work,
- (b) the date of completion of such work.

**44. Reference against order of authorized officer under section 42.**—(1) Any person aggrieved by the order fixing the betterment charges may, by a written application to the officer authorized under section 41, require that the matter be referred to the District Judge.

(2) Any such application shall be made within six weeks from the date on which the order of the officer referred to in sub-section (1) was communicated to such person and shall be in such form as may be prescribed.

(3) The provisions of sections 5, 12 and 14 of the Indian Limitation Act, 1908 (IX of 1908), shall apply to the computation of the time fixed for reference under sub-section (2).

(4) The Officer authorized under section 41 shall make the reference in such manner as may be prescribed.

**45. Finality of order fixing betterment charges and of decision on reference.**—The order fixing the betterment charges made under section 42, subject to a reference to the Authority under section 44 and the decision of the Authority on reference under section 44, shall be final.

**46. Betterment charges to be first charge on land next to land revenue.**—From the date specified in the order fixing the betterment charges as the date from which such charges shall be leviable, or from such date as may be otherwise specified by the Authority under section 44 as the date from which such charges shall be leviable, the betterment charges recoverable in respect of any land shall, subject to the prior payment of the land revenue, if any, due to the State Government thereon, be a first charge on the land in respect of which such betterment charges are leviable.

**47. Payment of betterment charges.**—The betterment charges shall be payable on the date fixed under the rules made by the Chief Commissioner of Kutch under section 71:

Provided that the owner of the land on which such charges are imposed may execute an agreement in favour of the State Government agreeing to pay the amount of such charges by annual instalments together with interest at such rate and within such period as may be prescribed.

**48. Relinquishment of or exchange of land in lieu of payment of betterment charges.**—Notwithstanding anything contained in section 47, the Chief Commissioner of Kutch may allow the owner of the land on which the betterment charges may be payable to relinquish the whole or any part of the land or to deliver it in exchange in lieu of payment of the charges, in favour of the State Government on such conditions as may be prescribed:

Provided that no such relinquishment or exchange shall be permitted unless the land is free from encumbrances.

## CHAPTER VII

### SUPPLEMENTAL PROVISIONS TO SECURE SAFETY OF TRAFFIC AND PREVENTION OF DAMAGE TO HIGHWAYS

**49. Prevention of obstruction of view of persons using any highway.**—(1) Whenever the Highway Authority is of opinion that it is necessary for the prevention of danger arising from obstruction of the view of persons using any highway, especially at any bend or corner of the highway, it may, save as otherwise provided in section 11, serve a notice upon the owner or occupier of land alongside or at the bend or corner of such highway to alter within such time and in such manner as may be specified in the notice, the height or character of any existing wall (not being a wall forming part of a permanent structure), fence, hedge, tree, advertisement post, bill board or any other object thereon, so as to cause it to conform with any requirements specified in the notice.

(2) If any person upon whom a notice has been served under sub-section (1) objects to comply with any requirement of such notice, he may, within one month of its receipt, send to the Highway Authority his objection in writing stating the grounds thereof.

(3) The Highway Authority shall, within one month of the receipt of the objection, consider the grounds advanced and shall, by order in writing, either withdraw the notice or amend or confirm it.

(4) If a person is aggrieved by an order issued by the Highway Authority under sub-section (3), he may prefer an appeal within 15 days from the date when such order was communicated to him, to the Collector whose decision in the matter shall be final.

(5) If any person fails to comply with the notice served on him under sub-section (1) as amended or confirmed, as the case may be, under sub-section (3), the Highway Authority may take action to alter the object causing obstruction of view at its own expense, and such expenditure shall be recovered from such person in accordance with the provisions of section 25, without prejudice to any other action which may be taken against him.

**50. Highway Authority to regulate traffic when highway declared unsafe.**—If at any time it appears to the Highway Authority that any highway in its charge or any portion thereof is or has been rendered unsafe for vehicular or pedestrian

traffic by reason of damage or otherwise, it may, subject to such rules as may be prescribed in this behalf, either close the highway or the portion of it to all traffic or to any class of traffic, or regulate the number and speed or weight of vehicles using the highway.

**51. Prohibition of use of heavy vehicles on certain highways.**—Where the Highway Authority is satisfied that any highway or a portion thereof, or any bridge, culvert or causeway built on or across any highway, is not designed to carry vehicles of which the laden weight exceeds such limit as may be fixed in this behalf, it may, subject to such rules as may be prescribed in that behalf, prohibit or restrict the plying of such vehicles on or over such highway or such part of the highway or such bridge, culvert or causeway.

**52. Procedure to be followed when Highway Authority desires permanently to close any highway.**—(1) Where in exercise of the powers conferred on it by section 50 the Highway Authority desires permanently to close down any highway or part thereof, it shall give notice of its intention so to do in the Official Gazette. The notification shall also be published in at least two newspapers, one of which shall be in the regional language of the place in which the highway is situated.

(2) The notice shall indicate the alternative route, if any, which is proposed to be provided or which may already be in existence, and shall also invite objections, if any, to the proposal to be submitted within such time as may be specified.

(3) The Highway Authority shall finalise its proposal to close down any highway or part of it after considering the objections, if any, received within the specified time and shall submit the final proposal to the Chief Commissioner of Kutch for approval together with such objections as may have been received against the proposal.

(4) The Chief Commissioner of Kutch may either approve the proposal, with or without modifications or reject it.

(5) When the Chief Commissioner of Kutch has approved the proposal he shall publish his orders in the Official Gazette.

(6) When the orders of the Chief Commissioner of Kutch have been published in the Official Gazette, the Highway Authority shall arrange for further publicity to be given to the orders in at least two newspapers one of which shall be in the regional language of the place in which such highway is situate and the highway or part thereof shall then be closed.

(7) Whenever any highway or any part thereof has been so closed, reasonable compensation shall be paid to every person who was entitled, otherwise than as a mere member of the public, to use such highway or part thereof as a means of access to or from his property and has suffered damage for such closure.

**53. Consent of Highway Authority required to do certain acts on highway.**—(1) Notwithstanding anything contained in any other enactment for the time being in force but subject to the provisions of section 72 no person other than the Highway Authority or any person authorised by it shall construct or carry any cable, wire, pipe, drain, sewer or channel of any kind through, across, under or over any highway except with the permission in writing of the Highway Authority.

(2) In giving its consent the Highway Authority may impose such conditions as it may deem to be necessary, and may also impose a rent or other charge for any land forming part of the highway occupied by or applied to the proposed work.

(3) If any person constructs or carries out any work in contravention of sub-section (1), the Highway Authority may arrange for the removal of such work and restoration of the highway to its former condition in accordance with the provisions of section 23 as if the work constituted an encroachment on the highway, and such expenses as the Highway Authority may incur for this purpose, shall, without prejudice to any other action that may be taken against such person, be recovered from him in accordance with the procedure provided in section 25 in so far as that procedure is applicable.

**54. Prevention and rectification of damaged highway.**—(1) No person shall wilfully cause, or allow any vehicle or animal in his charge to cause any damage to any highway.

(2) Where in contravention of sub-section (1) any damage has been caused to any highway, the Highway Authority shall have the damage repaired and the expenses involved shall, without prejudice to any other action that may be taken against the person responsible for the contravention of sub-section (1), be recovered from him in accordance with the procedure provided in section 25 in so far as that procedure is applicable.

## CHAPTER VIII

## PENALTIES

**55. Disobedience of orders, instructions and refusal to give information etc.—** Whoever wilfully disobeys any direction lawfully given by any person or authority empowered under this Act to give such direction, or obstructs any person or authority in the discharge of any functions that such person or authority is required or empowered under this Act to discharge, or, being required by or under this Act to supply any information, withholds such information or gives information which he knows to be false or which he does not believe to be true shall, on conviction, be punished with fine which may extend to two hundred rupees.

**56. Contravention of restrictions relating to access or erecting any building, etc.—** Whoever erects, alters or extends any building, or makes any excavation, or constructs any means of access to or from a highway or does any other work in contravention of the provisions of section 9, shall, on conviction, be punished—

- (a) with fine which may extend to five hundred rupees, and
- (b) with further fine which may extend to one hundred rupees for each day after such conviction, during which the offending structure or work is not removed, demolished or cleared and the site not restored to its original condition.

**57. Unauthorized occupation of highway.—** Whoever—

- (a) occupies or makes any encroachment on any highway in contravention of the provisions of sub-section (1) of section 21, or
- (b) fails to comply with the notice served on him under sub-section (1) of section 23 for no valid reason,

shall, on conviction, be punished—

- (a) for a first offence with fine which may extend to two hundred and fifty rupees,
- (b) for a subsequent offence in relation to the same encroachment with fine which may extend to five hundred rupees plus a further fine not exceeding fifty rupees per day on which such occupation of the highway or encroachment continues.

**58. Causing damage to highways.—** Whoever in contravention of sub-section (1) of section 54 wilfully causes, or allows any vehicle or animal in his charge to cause any damage to any highway, shall, on conviction, be punished with fine which may extend to one thousand rupees.

**59. General provision for punishment of offences.—** Whoever contravenes any provision of this Act or of any rule or order made thereunder shall, if no other penalty is provided for the offence, on conviction, be punished—

- (a) for a first offence with fine which may extend to fifty rupees,
- (b) for a subsequent offence with fine which may extend to two hundred rupees.

**60. Power to compound offences.—** Any offence committed under this Act may be compounded by the Highway Authority and if any proceedings have been instituted against any person in any criminal court, then on the terms of the compromise being carried out, the composition shall be held to amount to an acquittal and in no case shall any further proceedings be taken against such person or any property of such person with reference to the same facts.

## CHAPTER IX

## MISCELLANEOUS

**61. Powers and duties of police.—** Every police officer shall forthwith furnish information to the nearest Highway Authority, or the nearest officer subordinate to the Highway Authority of any offence coming to his knowledge which has been committed against this Act or any rule made under this Act, and shall be bound to assist the Highway Authority and its officers and servants in the exercise of their lawful authority.

**62. Duties of village officials.—** Every village headman, village accountant, village watchman or other village official by whatever name called, shall forthwith inform the nearest police station or the nearest Highway Authority or any officer

duly authorised by the Highway Authority, whenever he becomes aware that any survey mark or any boundary mark of any highway or any mark showing the building or control line determined in respect of a highway has been destroyed, damaged, removed, displaced or otherwise tampered with, or that any damage to any highway or encroachment on any highway has been made.

**63. Power to utilise highway for other than road purposes.**—The Highway Authority may utilise temporarily for other than road purposes land forming part of a highway which is not immediately required for the passage of traffic, and dispose of the produce of such land.

**64. Summary eviction.**—Any person wrongfully occupying any land,—

(a) which is a part of a highway,

(b) the occupation of which contravenes any of the provisions of this Act and the said provisions do not provide for the eviction of such person,

shall be summarily evicted by the Collector in the manner provided in the Bombay Land Revenue Code, 1879, (Bombay V of 1879) on being required to do so by the Highway Authority or any officer authorized in this behalf by the Chief Commissioner of Kutch.

**65. Inquiries to be held summarily.**—(1) The Highway Authority or the officer authorized by the Chief Commissioner of Kutch in this behalf shall, if he desires to make any inquiry for the purposes of this Act, make the inquiry in the manner provided for holding a summary inquiry under the Bombay Land Revenue Code, 1879, (Bombay V of 1879), and all the provisions contained in the said Code relating to the holding of a summary inquiry, shall, so far as may be apply.

(2) The Highway Authority and an officer authorized by the Chief Commissioner of Kutch or the Highway Authority under this Act shall have the same powers for summoning and enforcing the attendance of any person and examining him on oath and compelling the production of documents as are vested in the revenue officers under the Bombay Land Revenue Code, 1879, (Bombay V of 1879).

**66. Registration or map made under section 8 not required.**—(1) Nothing in the Indian Registration Act, 1908, (XVI of 1908) shall be deemed to require the registration of any map made under section 8.

(2) All such maps shall, for the purposes of sections 49 and 50 of the Indian Registration Act, 1908, (XVI of 1908) be deemed to have been and to be registered in accordance with the provisions of that Act;

Provided that the maps shall be accessible to the public in the manner prescribed.

**67. Certain persons to be public servants.**—The Highway Authority, the officers and other persons authorized or appointed under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

**68. Bar of jurisdiction.**—No Civil Court shall have jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by the Highway Authority, the Collector, an officer or person authorized under this Act, any Authority under section 35 or section 44 or the Chief Commissioner of Kutch.

**69. Protection of persons acting in good faith and limitation of suit or prosecution.**—(1) No suit, prosecution or other legal proceedings shall be instituted against any public servant or officer or person duly authorized under this Act in respect of anything in good faith done or intended to be done under this Act, or the rules or orders made thereunder.

(2) No suit or prosecution shall be instituted against any public servant or officer or person duly authorized under this Act in respect of anything done or intended to be done under this Act, unless the suit or prosecution has been instituted within six months from the date of the act complained of.

**70. Service of notices and bills.**—(1) Every notice or bill issued or prepared under this Act, may be served or presented,—

(a) by delivering or tendering it or sending it by post to the person to whom it is addressed, or to his agent, or

(b) if such a person or his agent is not found then by leaving it at his usual or last known place of abode or by delivering or tendering it to some adult male member of his family or by causing it to be fixed on some conspicuous part of the building or land, if any, to which it relates.

(2) Where a notice under this Act is required to be served upon an owner or occupier of a building or land, it shall not be necessary to name the owner or occupier, and the service thereof may be effected either—

- (a) by delivering or tendering the notice or sending it by post to the owner or occupier or if there be more owners or occupiers than one, to any one of them, or
- (b) if no such owner or occupier is found, then by giving or tendering the notice to an adult male member or servant of his family or by causing the notice to be fixed on some conspicuous part of the building or land to which the same relates.

(3) Whenever the person to whom a notice or bill is to be served is a minor, service upon his guardian or upon an adult male member or servant of his family shall be deemed to be service upon the minor.

71. **Power to make rules.**—(1) The Chief Commissioner of Kutch may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Chief Commissioner of Kutch may make rules for all or any of the following matters:—

- (a) the manner in which the notification may be published in the village and at the headquarters of the taluka or mahal under sub-section (2) of section 7;
- (b) the other places at which copies of map may be open to inspection under section 8;
- (c) the form of application and its contents under sub-section (2) of section 9;
- (d) the other manner of publishing the notification under section 15;
- (e) the conditions on which and the amount of rent or charge on payment of which encroachments may be made on a highway;
- (f) the manner in which a reference shall be made under section 35 or 44;
- (g) fixation of the date on which the betterment charges shall be payable under section 47 and instalments together with the rate of interest and the period within which such instalments shall be paid under the proviso to the said section;
- (h) the conditions on which any land may be relinquished or delivered in exchange in favour of the State Government under section 48;
- (i) rules subject to which any highway or portion of it may be closed to traffic or any class of traffic or the number and speed or weight of vehicles using the highway may be regulated under section 50;
- (j) rules subject to which plying of vehicles may be prohibited under section 51;
- (k) the prevention of obstruction of view of persons using highways and of annoyance, danger or injury to the public;
- (l) the prevention of obstruction, encroachment and nuisances on or near and of damages to highways;
- (m) the proper maintenance of boundary marks demarcating highway boundaries and building and control lines;
- (n) the prescription of various forms of applications required to be made and the forms of notices and bills required to be served on persons, the charges to be made for the supply of copies of maps, and the rent or other charges to be imposed or levied under the provisions of this Act;
- (o) the general guidance of the Highway Authority in the discharge of its functions under this Act;
- (p) regulation or diversions of existing rights of access;
- (q) any other matter which is to be or may be prescribed.

72. **Savings.**—(1) Subject to the provisions of this section, nothing in this Act shall affect—

- (a) the rights of any local authority to make any excavation for the purpose of laying, making, altering, repairing or renewing any sewer, drain, water course or other work; or

- (b) the rights of any authority appointed under any law for the time being in force for gas or water, electricity, railways, tramways or trolley vehicles to erect any support or make any excavation for the purpose of laying, making, altering, repairing or renewing any main, pipe, sluice, weir, electric line, duct, drain or other apparatus; or
- (c) any land belonging to a railway administration or belonging to or used by a person holding a licence or sanction for the generation, transformation or distribution of electricity under the Indian Electricity Act, 1910 (IX of 1910), when such land is held or used by the railway administration or such person, as the case may be, for the purpose of its railway or for generation, transformation or distribution of electricity, except in so far as they may consent thereto; or
- (d) any land within the limits of a cantonment or a port declared by or under any law made by Parliament or existing law to be a major port;
- (e) any land within the jurisdiction of a local authority under the administrative control of the Central Government:

Provided that—

- (i) any restrictions in force under section 9 as to construction, formation or laying out of means of access to, or from, any road, shall without any such consent as aforesaid, extend to any such land as is specified in clause (c) in so far as the restrictions relate to means of access over or under such land to, or from, land other than land so specified; and
- (ii) any consent required for the purposes of this section shall not be unreasonably withheld and the question whether or not the consent so required is unreasonably withheld shall be determined by the Chief Commissioner of Kutch and the decision of the Chief Commissioner of Kutch on the question shall be final.

(2) Nothing in this Act shall affect any powers and duties of the telegraph authority under the provisions of the Indian Telegraph Act, 1885 (XIII of 1885).

**73. Provisions of this Act or rules to prevail over inconsistent provisions in other laws.**—Save as provided in section 72, the provisions of this Act or rules made thereunder in regard to any matter dealt with thereby shall prevail over the provisions of any other law in so far as such law is inconsistent with the said provisions or rules, and such law to the extent of such inconsistency shall cease to apply or shall not apply to any such matter.

**74. Building and control lines along national highways.**—For the avoidance of doubt it is hereby declared that nothing in this Act shall apply to highways which are or have been declared by or under any law made by Parliament to be national highways:

Provided that if any highway is declared to be a national highway by or under any law made by Parliament, it shall be lawful for the Chief Commissioner of Kutch to fix or not to fix the building and control lines for different portions of the said highways under section 7 and thereafter the provisions of this Act in so far as they apply to the restrictions on buildings between the highway boundary and the building line or between the building line and the control line and other provisions relating to such building and control lines shall, *mutatis mutandis*, apply.

#### SCHEDULE

[See sections 28(2) and 30.]

#### Amendments to the Land Acquisition Act, 1894

**1. Amendment of section 23 of Act I of 1894.**—For section 23 of the Land Acquisition Act, 1894 (hereinafter called the said Act), the following shall be substituted, namely:—

**“23. Matters to be considered in determining compensation.**—In determining the amount of compensation to be awarded for the land or any interest therein acquired under this Act, the following matters shall be taken into consideration:—

- (1) the market value at the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955 (Bom. L.V of 1955);

- (2) the use to which the land was put at the date of such declaration;
- (3) the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time when the possession was taken from him;
- (4) the damage (if any) sustained by the person interested at the time of the possession being taken from him by reason of severing such land from his other land;
- (5) the damage (if any) sustained by the person interested at the time of the possession being taken from him of the land by reason of the acquisition injuriously affecting his other property, moveable or immovable, in any other manner or his earnings;
- (6) if in consequence of the acquisition of the land the person interested is compelled to change his residence, or place of business, the reasonable expenses, if any, incidental to such change."

2. *Amendment of section 24 of Act I of 1894.*—For section 24 of the said Act, the following shall be substituted, namely:—

"24. *Matters to be neglected in determining compensation.*—But the following matters shall not be taken into consideration:—

- (1) the degree of urgency which has led to the acquisition;
- (2) any disinclination of the person interested to part with the land acquired;
- (3) any damage sustained by him which, if caused by a private person, would not render such person liable to a suit;
- (4) any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955 (Bom. LV of 1955), by or in consequence of the use to which it will be put;
- (5) any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;
- (6) any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put;
- (7) any outlay or improvements on, or disposal of the land acquired, commenced, made or effected without the sanction of the Highway Authority after the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955 (Bom. LV of 1955);
- (8) the special suitability or adaptability of the land for any purpose, if that purpose is a purpose to which it could be applied in pursuance of any law or for which there is no market apart from the special needs of the Highway Authority;
- (9) any increase in the value of the land by reason of the use thereof or any premises thereon in a manner which could be restrained by any court, or is contrary to law or is detrimental to the health of the inmates of the premises or to the public health."

[No. PL-7(5) 56.]

K. RANGANATHAN, Dy. Secy.

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MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

New Delhi, the 19th September 1956

S.R.O. 2176.—In exercise of the powers conferred by section 5 of the Mines and Minerals (Regulation and Development) Act, 1948 (LIII of 1948), the Central

Government hereby makes the following further amendment in the Mineral Concession Rules, 1949, namely:—

Rule 24 of the said Rules shall be renumbered as sub-rule (1) thereof and after the sub-rule as so renumbered, the following sub-rule shall be inserted, namely:—

“(2) Where a mining lease is granted to a licensee over a part only of the area covered by the license, the State Government may, on application made in this behalf by the licensee and subject to the provisions of rule 22, permit the licensee to continue in possession of the remaining part for the unexpired period of the license or renew the licence in respect of such remaining part.”

[No. MIL-152(37)/55.]

R. N. VASUDEVA, Dy. Secy.

### MINISTRY OF IRRIGATION AND POWER

#### CORRIGENDUM

New Delhi, the 21st September 1956

**S.R.O. 2177.**—In condition No. (b) stipulate in the Government of India, Ministry of Irrigation and Power, Order No. EL-II-353(4)/56, dated the 21st July, 1956, the words “or its latest modification” shall be added after the words and figures “B.S. 1116—1943”.

[No. EL-II-353(4)/56.]

N. S. VASANT,  
Officer on Special Duty.

### MINISTRY OF WORKS, HOUSING AND SUPPLY

#### (Central Boilers Board)

New Delhi, the 19th September 1956

**S.R.O. 2178.**—The following draft of certain further amendments to the Indian Boilers Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 25th December, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

#### Draft Amendment

In the said Regulations.—

1. For the second paragraph of clause (c) of regulation 380, the following shall be substituted, namely:—

In the case of water tube boilers or boilers fitted with super heaters, the feed water connection and stop valve need not be shut off and if the total safety valve area and lift are found to be adequate by calculations, the requirements of the accumulation test may be assumed to have been satisfied if the valves are, or have been so adjusted that each blows at the pressure not exceeding the working pressure of the boiler.

2. In clause (d) of regulation 380, for the words, “on completion of”, the word “before” shall be substituted.

[No. BL-304(74)/51.]

**S.R.O. 2179.**—The following draft of a further amendment to the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 25th December 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such Objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

*Draft Amendment*

In the said Regulations—

For sub-regulation (d) of regulation 316, the following shall be substituted, namely:—

“(d) When two or more boilers are connected to a common steam main and there are no combined stop and isolating valves fitted to them an automatic isolating valve shall be fitted between each boiler's stop valve and the steam main.”

[No. S&P-II/BL-304(2)/55.]

M. N. KALE, Secy

**MINISTRY OF COMMUNICATIONS**

*New Delhi, the 22nd September 1956*

**S.R.O. 2180.**—In exercise of the powers conferred by Section 7 of the Indian Post Office Act 1898 (6) of 1898 the Central Government hereby notifies that with effect from 1st August 1956, parcels will be accorded air transmission between Silchar and Imphal only, at a concessional air surcharge rate of one anna for every forty tolas or fraction thereof in addition to the ordinary postage. Besides air mail labels, such parcels must prominently bear superscription “By Air between Silchar & Imphal”.

V. M. BHIDE, Dy. Secy.

*New Delhi, the 29th September 1956*

**S.R.O. 2181.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following amendment in the Indian Wireless Telegraphy (Commercial Radio Operators Certificates of Proficiency and Licence to Operate Wireless Telegraphy) Rules 1954, namely:—

In the said rules after rule 13 the following proviso shall be added, namely:—

“Provided that in the case of a person who holds a Second Class Certificate of Competency in wireless telegraphy or a second class licence to operate it granted or issued by any competent authority under the said rules and who also holds Radio-Telegraph Operators Licence under the Indian Aircraft Rules, 1937, the period of validity for such Certificate of Competency in wireless telegraphy or any licence to operate it shall be twelve months after such commencement.”

[No. W-16/16/56.]

T. R. MANTAN, Dy. Secy.

## (Posts and Telegraphs)

New Delhi, the 21st September 1956

**S.R.O. 2182.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following further amendment in the Indian Telegraph Rules 1951, namely:—

In rule 272 of the said Rules, for the words “one rupee eight annas”, the words “three rupees two annas” shall be substituted.

[No. R.2-30/56.]

V. M. BHIDE, Dy. Secy.

## MINISTRY OF REHABILITATION

New Delhi, the 20th September 1956

**S.R.O. 2183.**—In exercise of the powers conferred by Section 56 of the Administration of Evacuee Property, Act, 1950 (XXXI of 1950), the Central Government hereby directs that the following amendment shall be made in the Administration of Evacuee Property (Central) Rules, 1950, namely:—

In rule 31 of the said Rules, for sub-rule (7) the following sub-rules shall be substituted, namely:—

“7. In computing the period of limitation provided in this rule—

- (a) the provisions of Sections 4 and 12 of the Indian Limitation Act, 1908 (IX of 1908), shall so far as they are applicable, apply to all petitions of appeal or revision;
- (b) the provisions of section 5 of the said Act shall, so far as they are applicable, apply to all petitions of appeal or revision, and shall be deemed to have applied to all such petitions made during the period commencing on the 5th day of June 1956 and ending on the 29th day of September, 1956.

Provided that where in respect of any appeal or revision application made to the Custodian or any officer subordinate to him any question arises whether the provisions of section 5 of the said Act should be applied, the question shall be referred to the Custodian General whose decision thereon shall be final.

- (7A) Where any petition of appeal or revision has been dismissed by any authority during the period specified in clause (b) of sub-rule (7) on the ground only that such petition was barred by limitation and that time could not be extended because section 5 of the Indian Limitation Act, 1908, was not applicable the petitioner may, not later than the 29th day of November, 1956, apply to the Custodian General for restoration of the petition of appeal or revision, as the case may be, and the Custodian General, if satisfied that the petitioner had sufficient cause for not filing the petition within time, may set aside the order dismissing the petition and thereupon such petition shall, subject to the other provisions of these rules, be heard on merits by the Custodian General or if the Custodian General so directs, by the authority which would have been competent to hear it, if the petition had not been dismissed on the ground aforesaid”.

[No. 42(1)(25)/56-Prop.I.]

P. G. ZACHARIAH, Dy. Secy.

New Delhi, the 20th September 1956

**S.R.O. 2184.**—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri Amar Singh as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

[No. 6/5/56-SII.]

**S.R.O. 2185.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri B. N. Dar as Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. 7/26/56-SII(Pt. II).]

*New Delhi, the 21st September 1956*

**S.R.O. 2186.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the State of Delhi specified in the schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, Therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule below:

THE SCHEDULE

Sl. No.	Particulars of Evacuee Property	Name of the town and locality in which the evacuee property is situated	Name of the Evacuee
I	2	3	4
1	I/238A/425 . . .	Gali Rajan Kalan, Kashmeri Gate, Delhi.	Shri Mohammed Shaffi.
2	III/1181 A & 1197 A 2579-82.	Kucha Maulvi Qasim Phatak Habash Khan.	Shri Mohamed Ishaq.
3	III/1683A/3463-64 & 3459-60.	Nicholson Road, Mori Gate, Delhi.	Shri Mohammed Sayed and Mohammed Yasin.
4	V/161 A/555-56 . . .	Katra Ashafi, Chandni Chowk, Delhi.	Musammat Mashkoob ul Nisa.
5	VI/1756/3404 . . .	Gali Hakim Baqa, Hauz Qazi, Delhi.	Shri Mauz ud Din Musaffar ullah Shamshul Arfin Najamal Arfin Mohammed Saddiq and Mohin ud din.
6	VII/1896/3117 . . .	Gali Aziz ullah Vakil Wali, Kucha Pandit, Delhi.	Shri Mohammed Ahmed.
7	VII/1992/3276 . . .	Gali Farhatullah Khan Kucha Pandit, Delhi.	Shri Mohammed Ahmed.
8	VII/2846A/4824 . . .	Phatak Namak Wala	Haji Mohammed Ahmed.
9	VII/1717/2741 . . .	Mohalla Nuyarayan	Mussamat Kaniz Begum.
10	VII/1348A & 1350-51 2023-24.	Mohalla Rodgaran Lal Kuan	Hakim Mohammed Saeed.
11	VII/2188-89/3597-98 . . .	Katra Dina Beg, Lal Kuan	Hakim Mohammed Saeed.
12	VII/2236-38/3636-40 . . .	Katra Dina Beg, Lal Kuan	Hakim Mohammed Sayeed.
13	VII/2250/3656-60 . . .	Bazar Lal Kuan . . .	Hakim Mohammed Saeed.
14	VII/2174/3583 . . .	Bazar Lal Kuan . . .	Hakim Mlammed Saeed.
15	VII/2617-A part/4409-19 . . .	Gali Shah Tara . . .	Zakirul Rehman.
16	VIII/128-30/235-41 . . .	Ajmeri Gate . . .	Shri M.A. Allah Wala.
17	VI/3015/6159-60 . . .	Kucha Nawab Mirza, Gali Batashan.	Hafiz Mohammed Saeed.
18	VI/3312/6449-52 . . .	Katra Baryan . . .	Musammat Kaniz Bano wife of Sultan Ahmed Allah.

1	2	3	4
19	IX/1013-14/1677-78	Pahari Bhojla	Mohammed Sadiq, son of Abdul Razak.
20	IX/1015/1015-15A/1680-81	Pahari Bhojla	Zahur Ahmed Khan.
21	IX/1703/2754	Pahari Bhojla	Rashid Khan.
22	X/814/1210	Chitli Qabar	Musammat Zainab.
23	X/1274-76 & 1283-A/1913	Suiwanal	Riazuddin.
24	X/1143/1683	Suiwanal	Musammat Rafiq widow of Mohammed Yunis.
25	X/767/1145	Chitli Qabar	Badhu, son of Abdul Hakim.
26	Army Press Building, 1&2, Khybar Pass.	Civil Lines, Delhi	K.B. Manzur Ali.
27	No. 92, 98, 100, 101, 95, 99, 5174 and 93.	Panchquin Road, New Delhi	Mussamat Safdri Begum M/s Hafizul Hussain and Mohd. Hussain, Shri Tahir Hussain.
28	XII/4913-A	Aryapura, Delhi	Zahiruddin.
29	XII/2868-69/2027	Malkaganj	Ayub Elahi.
30	XII/4274-87/3215-19	Aryapura	Haji Bux.
31	XII/4242-43/3183	Aryapura	Heirs of Mohammed Yakub.
32	XII/10826/9600	Tokriwalan, Library Road	Khalilur-Rahman and Nazal-ul-Rahman.
33	XII/2633-36/1878-80	Malkaganj	Amir Khan.
34	XII/2683-84 (new) 3734 (old)	Basti Punjabian	Qutab-ud-din.
35	XII/5043-45/3769-72	Sarai Phoos	Mazafar Khan.
36	XII/4046-A	Aryapura	Mohammed Zamani Begum.
37	XII/4120-A/3045	Aryapura	Mehar-ul-Nisa.
38	XII/2465/1793	Sohanganj	Musamat Anwanan.
39	XII/2443	Sohanganj	Mohammed Ahmed.
40	XII/3481 3476-88/2350	Basti Punjabian	Mehrajuddin.
41	XII/3204 A/2152	Shora Kothi	Bashir Ahmed.
42	XII/4212-14/3151	Aryapura	Zohar Jan, Fakharul Rahman.
43	XII/4215/3152	Aryapura	Mohammed Shafi.
44	XII/3693-93-A/2637A	Basti Punjabian	Karam Elahi.
45	XII/4530/3374	Aryapura	Arif Hussain.
46	XII/3731-B/2678	Basti Punjabian	Mohammed Umar.
47	XII/6590A/4620	Roshanara Road	Musammat Fatima Bi.
48	XII/9497-98/8574	Roshanara Road	Abdul Beg.
49	XII/793-B/5074-78	Roshanara Road	Mohammed Yakub.
50	XII/4056A/2978	Basti Punjabian	Asha Bi.
51	XII/7186-A/5058 and 5064-65.	Roshanara Road	Abdul Ghani and Mohammed Faruq.
52	XII/9650-F/8768	Rohatganj	Mehrajuddin.
53	XII/7544 A/5739-41	Chandrawal	Shri Nasir.
54	XII/7397/5560	Chandrawal	Musammat Allah Rakhi.
55	XII/3534-34A/2394-97	Basti Punjabian	Mohammed Shafi.
56	XII/7562-64/5753-55	Chandrawal	Musamat Manawar Sultan.
57	XII/2132-50/1440-58	Shora Kothi	Musammat Nur Begum.
58	XII/10960-61/9699-9700	Nawab Ganj	Khair-ul-Nisa daughter of Shamas Uddin.
59	XII/7193-A/5072	Roshanara Road	Azamuddin.
60	XII/3566-D	Basti Punjabian	Cohar Nisa.
61	XII/7448-A	Chandrawal	Musammat Kaisar Jehan Begum, wife of T. N. Alamgir.
62	XII/7468-69/5672-73	Chandrawal	Musammat Hasan Jan.
63	XII/7700A-38 6359-60	Kamla Nagar	Mohammed Yahia and Mohammed Ibrahim.
64	XII/4897-98 & 4898-A/3648	Aryapura	Musammat Shafiq Zamni.
65	XII/5233/4448	Subzimandi	Musammat Mohammed Rafi.
66	XII/491-97	Subzimandi	Anwar Ahmed.
67	XII/3655/2697	Basti Punjabian	Sadiq Ali.
68	XII/3852 A/2739	Subazimandi	Mohammed Abdullah.

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69	XII/4875-76/3622-25	Aryapura	Mussamat Razia Bi.
70	XII/5790	Aryapura	Aftab Ellahi.
71	XII/7470& 7470-A/5674-81	Chandrawal	Mohammed Ismail.
72	XII/5765/5756-60	Chandrawal	Fakhar-ul-Nisa.
73	XII/7197-7208	Chamanganj	Zamira Khatoon.
74	XII/7184-84-A 5026-28 and 5036-37	Chamanganj	Mohammed Ahmed.
75	XII/3565. A	Basti Punjabian	Ibrahim.
76	XII/6944	Rosianara Road	Mohammed Suleman.
77	XII/7486-86-A/5694-95	Roshanara Road	Nazir Ahmed.
78	XII/3566-E	Basti Punjabian	Mohammed Ishaq.
79	XII/6805-8	Roshanara Road	Jangi Khan.
80	XII/7683/5811	Chandrawal	Kamaluddin and Zamaluddin
81	XII/9032-69/8239-69	Roshanara Road	Abdul Matin, Abdul Khalil Ikhlas Ahmed, Zohra Bi, Jamila Khatoon and Shakila Khatoon.
82	XII/3566 C	Basti Punjabian	Bashir.
83	XII/9850-A/8882	Naya Mohalla	Zaib-ul-Nisa.
84	XI/1474/1262	Gali Jamanwali, Daryaganj	Ali Shuberly.
85	XI/5230-32/3956-58	Gali Khan Khana, Daryaganj.	Mussamat Khurshid Begum.
86	XI/1053-55/932	Main Bazar, Chitli Qabar	Abdul Salam.
87	XI/157/132	Katra Gokal Shah	Mussamat Haider Abas Chandoor.
88	XI/2567/1929	Gali Rajan	Mussamat Hussina Begum.
89	XV/12250/9015-17	Original Road, Paharganj	Khurshid Anwar Said Anwar.
90	XV/12250/14(9012-14)	Original Road, Paharganj	Ramzani Bibi.
91	XV/1359/992-93	Original Road, Paharganj Mantola.	Sharif Ahmed.
92	XV/6592-94/5097-98.	Original Road, Paharganj, Shora Kothi.	Mussamat Sharbati.
93	XIII/3093	Qutab Road	Mohammed Tuyab.
94	XIII/5654-55	Deputy Ganj	Mohammed Yunis.
95	XIII/583-85/497-98	Teliwara	Mohammed Naqi.
96	XIII/3413/3089-92	Siraj Ganj	Mussamat Sughra Jan.
97	XIII/2892-93	Teliwara	Gulam Rasul.
98	XIII/1456A/1474	Aziz Ganj	Suhan Ali.
99	XIII/877/783	Shish Mahal	Aizul Rehman.
100	XIII/3095/2863	Qutab Road	Abdul Rehman.
101	XIII/3579-82/3227	Bhader Garh Road	Mohammed Sadiq.
102	XIII/4163/3705	Bara Hindurao	Mohammed Mian.
103	XIII/2818, 2799-2800	Teliwara	Mohammed Usman.
	2590-91		
104	XIII/3013-14 AB/2768-69	Qutab Road	Rahim Uddin and others.
105	XIII/2461 and 2464	Teliwara	Badar Slam.
106	XIII/6859/6320	Bara Hindurao	Mussamat Zohra Bi.
107	XIII/6610-22/6104-15	Saddar Bazar	Rahimuddin and Zahiruddin and Fazal Ullah.
108	XIII/6471-75/5973-77	Gali Matke Wali	Haji Ellahi Bux.
109	XIII/6744/6216	Pakki Gali	Mian Jan.
110	XIII/6879/6336	Bara Hindurao	Mussamat Rehmatul Nisa.
111	XIII/640A/567	Shish Mahal	Mussamat Umatul Hssan.
112	XIII/3599/3248	Kucha Hafiz Rana	Maqbool Ahmed.
113	Kh. No. 248	Bhogal	Shahzad.
114	772 and 816	Bhogal	Saira Khanam and Others.
115	256/1	Bhogal	Mohammed Ahmed, Mohammed Sule.
116	134/46-47	Bhogal	Hussan Afroz Begum.
117	588/1	Bhogal	Saira Khanam.
118	326	Bhogal	Aziz Ullah.
119	Kh. No. 141-B	Bhogal	Raziuddin and Ghiasuddin.

120	Kh. No. 212/44	Bhogal	.	.	Hafiz Uddin.
121	539/350/410	Dhakka	.	.	Mussamat Fatima Khanam.
122	200 Square Yards Plot in front of 192, Adjacent to 193.	Dhakka	.	.	Hussain and Nazir. Noor Ahmed.
123	500 Square Yards Plot Behind 161 A	Dhakka	.	.	Khadam Hussain.
124	607/544 and 609/544	Dhakka	.	.	Mussamat Nazir Khanam.
125	600 Square Yards Plot between House No. 8 and 9.	Dhakka	.	.	Abdul Ghani.
126	XIV/6434/4998-99	Bara Hindurao	.	.	Mohammed Sultan.
127	XIV/1429-30	Mandi Pan	.	.	Mussamat Allah Bandi.
128	XIV/1433	Mandi Pan	.	.	Mussamat Allah Bandi.
129	XIV/1439-40	Mandi Pan	.	.	Mussamat Allah Bandi.
130	XIV/1449-50	Mandi Pan	.	.	Mussamat Allah Bandi.
131	XIV/1452-54	Mandi Pan	.	.	Mussamat Allah Bandi.
132	XIV/14233 and 14240	Shidi Pura	.	.	M. R. Usman.
133	XIV/8783/7667	Qasabpura	.	.	Mohammed Ibrahim.
134	XIV/9532-33	Mohalla Qabarastan	.	.	Abdul Rahim.
135	XVI/2055/24B/4	Original Road	.	.	Bakhash Ellahi and Noor Ahmed. Mohammed Yusaf.
136	XVI/75/56	Original Road	.	.	Abdul Latif.
137	XVI/2056/16B/19	Original Road	.	.	H. A. Rahim.
138	XVI/2056/56/1	Original Road	.	.	Anisul Rehman.
139	XVI/17A/22	Original Road	.	.	Zanul Haq.
140	XVI/1508-09	31, Naiwala	.	.	Bhure Khan.
141	XVI/2056-17B/26	Original Road	.	.	Abdul Karim.
142	XVI/1026/Block B	5, Naiwala	.	.	Ayub Khan and Others.
143	XVI/24B/6	Western Extension Area	.	.	Zanul Abdin.
144	XVI/13-A/18-19	Western Extension Area	.	.	Abdul Hafiz.
145	XVI/13A/20 and 21	Western Extension Area	.	.	Rashid Ahmed Mashir Ahmed.
146	XVI/970A/1032	Ajmal Khan Road	.	.	Abdul Hadi.
147	XVI/171A, 177A	Shamshi Lane	.	.	Shamshuddin.
148	XVI/8007/6481	Dev Nagar	.	.	Ahmed Ansari.
149	XVI/32/61	Rohtak Road	.	.	Nasir Abbas.
150	XVI/337/405-6	Khjoor Road	.	.	Shamshuddin.
151	XVI/65/5	Rohtak Road	.	.	Ahmed Sayeed and Others.
152	XVI/1092/1155	Naiwala	.	.	Din Mohammed Noor Mohammed.
153	XVI/3C/1	Rohtak Road	.	.	Mussamat Zubeda Khatoon.
154	XVI/5C/1	Rohtak Road	.	.	H. A. Rehman.
155	Plot No. 8A/29	Western Extension Area	.	.	Sarajuddin Batla.
156	Plot No. 8A/33	Western Extension Area	.	.	Sarajuddin Batla.
157	Plot No. 8A/110-115	Western Extension Area	.	.	Sarajuddin Batla.
158	Plot No. 8A/117	Western Extension Area	.	.	Sarajuddin Batla.
159	Plot No. 8A/129-32	Western Extension Area	.	.	Sarajuddin Batla.
160	Plot No. 8A/146-149	Western Extension Area	.	.	Sarajuddin Batla.
161	Plot No. XX/1 and 2	Rohtak Road	.	.	Alim Uddin.
162	608/546	Dhakka	.	.	Mohammed Sayeed Khan

[No. 20 (138)S-1/56.]

New Delhi, the 24th September, 1956

**S.R.O. 2187.**—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri Man Mohan Lal Mathur as Settlement Officer for the purpose of pertaining functions assigned to each officer by or under the said Act, with effect from the date he took charge of his office.

[No. 6/5/56-SII.]  
KULWANT SINGH, Under Secy.

New Delhi, the 24th September, 1956

**S.R.O. 2188/R.Amdt.VII.**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following amendments in the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

In the said Rules:—

1. For sub-rule (2) of rule 22 the following shall be substituted, namely:—

“(2) A portion of a building of an acquired evacuee property which has no independent access shall not, unless the Central Government otherwise directs, be allotable.”

2. In rule 42 for clause (i), the following clause shall be substituted, namely:—

“(i) 33-1/3 per cent. of the value of the property—

(a) where the property consists of a shop situated in a town specified in Appendix 'X', or

(b) where the value of the property in the case of a shop situated in any rural area or in any town other than that specified in Appendix 'X' exceeds two thousand rupees, and in any other case exceeds five thousand rupees;”

(ii) In clause (ii) the words “or where the property consists of a shop situated in a town specified in Appendix 'X'" shall be omitted.

3. In rule 63:—

(i) For the figure and words “20 per cent” appearing in clause (a), figure and words “10 per cent” shall be substituted;

(ii) For the word ‘four’ appearing in clause (b), the word ‘fifteen’ shall be substituted;

(iii) After the first proviso the following proviso shall be inserted:—

“Provided further that if such person had filed any claim in respect of any rural building, which was rejected as a result of the Notification of the Government of India in the Ministry of Rehabilitation No. 3(25)Genl/50, dated the 13th September, 1950 (amending Notification No. 3(14)/Genl/50-II, dated the 27th May, 1950), issued under the Displaced Persons (Claims) Act, 1950 (44 of 1950), he may be permitted to adjust the price of such land and other public dues against the amount which would have been payable to him, if his claim had not been so rejected, the amount so adjusted being treated as a rehabilitation grant paid under Section 11 of the Act.”

4. (i) After para. 1 of appendix XXII and before the words ‘given under my hand and the seal’ the following paragraph shall be inserted, namely:—

“The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri \_\_\_\_\_

S/o \_\_\_\_\_ in West Pakistan \*and or Shri \_\_\_\_\_, the purchaser, had obtained a debt of Rs. \_\_\_\_\_ from Shri \_\_\_\_\_

S/o \_\_\_\_\_ in West Pakistan. The said mortgagee/creditor has obtained a decree for Rs. \_\_\_\_\_ from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act, 1951 the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. \_\_\_\_\_ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor.”

(ii) After para. 1 of appendix XXIII and before the word ‘Given under my hand and the seal’ the following paragraph shall be inserted, namely:—

“The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan \*and or Shri \_\_\_\_\_ the purchaser, had obtained a debt of Rs. \_\_\_\_\_ from Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan. The said mortgagee/creditor has obtained a decree for

\*Strike out whichever is not applicable.

Rs. \_\_\_\_\_ from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. \_\_\_\_\_ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor."

(iii) After para. 3 of appendix XXIV and before the words 'in witness where of the Vendor' the following paragraph shall be inserted, namely:—

"The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan \*and or Shri \_\_\_\_\_ the purchaser, had obtained a debt of Rs. \_\_\_\_\_ from Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan. The said mortgagee/creditor has obtained a decree for Rs. \_\_\_\_\_ from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. \_\_\_\_\_ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor."

(iv) After para. 7 of appendix XXV and before the words 'now this indenture witnesseth that for' the following paragraph shall be inserted, namely:—

"The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan \*and or Shri \_\_\_\_\_ the purchaser, had obtained a debt of Rs. \_\_\_\_\_ from Shri \_\_\_\_\_ S/o \_\_\_\_\_ in West Pakistan. The said mortgagee/creditor has obtained a decree for Rs. \_\_\_\_\_ from the Tribunal constituted under the Displaced Persons (Debt Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. \_\_\_\_\_ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor."

[No. F.51/6/56/SI.]

I. N. CHIB, Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 11th September 1956

**S.R.O. 2189.**—In exercise of the powers conferred on me by sub-section (2) of section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (12 of 1954), I, L. J. Johnson, Chief Settlement Commissioner, hereby delegate my powers under the proviso to sub-section (3) of section 4 and under section 5 of the said Act to all Settlement Commissioners to be exercised by them for the purpose of rectifying mistakes, errors and omissions of a clerical or arithmetical nature including mistakes, errors and omissions resulting from arithmetical miscalculations, in—

- (1) final orders passed by Settlement Officers in relation to the verification and valuation of any claim under the said Act, or
- (2) final orders passed by Claims Officers under the Displaced Persons (Claims) Act 1950 (XLIV of 1950) in relation to claims registered under that Act.

[No. F.14(21)CSC/Judl-56.]

L. J. JOHNSON,  
Chief Settlement Commissioner and  
Joint Secretary.

\*Strike out whichever is not applicable.

## MINISTRY OF LABOUR

New Delhi, the 19th September 1956

**S.R.O. 2190.**—In exercise of the powers conferred by sections 7 and 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Dr. A. M. Lorenzo, Director, Labour Bureau, Simla, to be a member of the Advisory Board appointed in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2088, dated the 21st June 1954, as amended, vice Shri N. K. Adyanthaya who has resigned and makes the following further amendment in the said notification, namely:—

In the said notification, under the heading “(1) Independent members”, for entry “2. Shri N. K. Adyanthaya, Director, Labour Bureau, Simla”, the following entry shall be substituted, namely:—

“2. Dr. A. M. Lorenzo, Director, Labour Bureau, Simla”.

[No. LWI-(I)6(11)56.]

New Delhi, the 22nd September 1956

**S.R.O. 2191.**—In exercise of the powers conferred by proviso to article 309 of the Constitution, the President hereby makes the following amendment in the Labour Officers (Central Pool) Recruitment and Conditions of Service Rules, 1951, namely:—

In the said Rules for rule 5A the following rule shall be substituted, namely:—

“5A. *Disqualifications for appointment.*—(i) No person who has more than one wife living shall be eligible for appointment as Labour Officer in the Central Pool.

(ii) No female candidate who has married a person having already a wife living shall be eligible for appointment to the post of Labour Officer in the Central Pool:

Provided that the Government of India may, if satisfied that there are special grounds for doing so, exempt any person male or female from the operation of this rule”.

[No. 3/LWI(II)-4(1)/56.]

New Delhi, the 24th September 1956

**S.R.O. 2192.**—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1512, dated the 24th September, 1951, namely:—

In the Schedule to the said notification—

- (1) in the entry in column (2) against “Regional Labour Commissioner (Central), Dhanbad” in column (1), for the words “Orissa and Vindhya Pradesh”, the words “and Orissa” shall be substituted;
- (2) in the entry in column (2) against “Regional Labour Commissioner (Central), Nagpur” in column (1), for the words “and Bhopal”, the words “Bhopal and Vindhya Pradesh” shall be substituted;
- (3) in column (1), the entry “Labour Inspector (Central), Rewa” shall be omitted; and
- (4) in column (1), at the end, the entry “Labour Inspector (Central), Rewa” shall be added.

[No. LWI(1)-2(2)/56.]

P. N. SHARMA, Under Secy.

New Delhi, the 20th September 1956

**S.R.O. 2193.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby appoints Shri P. C. Rai, Conciliation Officer (Central), Shillong, to be the Controller of Emigrant Labour, Shillong, with effect from the forenoon of the 1st September, 1956. He shall in addition, continue to be Conciliation Officer (Central).

[No. PL-I-5/4-55.]

B. R. KHANNA, Under Secy.

New Delhi, the 20th September 1956

**S.R.O. 2194.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of notification of the Government of India in the Ministry of Labour No. P.F.516(37) dated the 13th October 1952, the Central Government hereby appoints Shri K. R. Das Sarkar I.A.S., to be an Inspector for the whole of the State of West Bengal for the purposes of the said Act and of any scheme made thereunder, in relation to factories within that State engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. P.F.31(108)/55.]

**S.R.O. 2195.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, framed under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. R. Das Sarkar, I.A.S., to be the Regional Provident Fund Commissioner for the whole of the State of West Bengal vice Shri D. Mallik and further directs that the said Shri K. R. Das Sarkar shall work under the general control and superintendents of the Central Provident Fund Commissioner.

[No. PF31(108)/55.]

**S.R.O. 2196.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Hyderabad Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour No. S.R.O. 1705, dated the 4th October, 1952, namely:—

In paragraph 7 of the said Scheme (i) for the proviso to sub-paragraph (1), the following provisos shall be substituted, namely:—

“Provided that where any illegal strike is called off within forty-eight hours of its commencement, the amount of bonus that would have fallen due to the employees but for such participation shall be paid by the employers within a period of two months from the date on which the quarter relating to the forfeited bonus ends, for credit to the ‘Reserve Account’ of the Coal Mines Provident Fund established under the Hyderabad Coal Mines Provident Fund Scheme published with the notification of the Government of India in the Ministry of Labour No. S.R.O. 657, dated, the 12th March 1956:

Provided further that where an application has been made under sub-paragraph (3) the forfeited bonus shall be deposited within a period of thirty days from the date of decision on the application, if the decision is that the strike was illegal, or, where an appeal is filed against that decision under sub-paragraph (5) within ten days of the dismissal of the appeal”;

(2) in sub-paragraph (2), for the word “proviso”, the words “provisos” shall be substituted.

[No. PF.3(59)/56-I.]

**S.R.O. 2197.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Scheme Act, 1948 (46 of 1948), the Central Government hereby makes the following amendments in the Rajasthan Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour, No. S.R.O. 3643 dated the 17th December, 1954, namely:—

In paragraph 7 of the said Scheme—

(1) for the proviso to sub-paragraph (1), the following provisos shall be substituted, namely:—

“Provided that where any strike is called off within forty-eight hours of its commencement, the amount of bonus that would have fallen due to the employees but for such participation shall be paid by the employers within a period of two months from the date on which the quarter relating to the forfeited bonus ends, for credit to the ‘Reserve Account’ of the Coal Mines Provident Fund established under the Coal Mines Provident Fund Scheme published with the

notification of the Government of India in the Ministry of Labour No. PF.15(5)/48, dated the 11th December, 1948:

Provided further that where an application has been made under sub-paragraph (3) the forfeited bonus shall be deposited within a period of thirty days from the date of decision on the application, if the decision is that the strike was illegal, or, where an appeal is filed against that decision under sub-paragraph (5) within ten days of the dismissal of the appeal";

(2) in sub-paragraph (2) for the word "proviso", the word 'provisos" shall be substituted.

[No. PF.3(59)/56-II.]

**S.R.O. 2198.**—In exercise of the powers conferred by Section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following amendments in the Assam Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour, S.R.O. 2041, dated the 8th September 1955, namely:—

In paragraph 7 of the said Scheme—

(1) for the proviso to sub-paragraph (1), the following provisos shall be substituted, namely:—

"Provided that where any illegal strike is called off within forty-eight hours of its commencement, the amount of bonus that would have fallen due to the employees but for such participation shall be paid by the employers within a period of two months from the date on which the quarter relating to the forfeited bonus ends, for credit to the 'Reserve Account' of the Coal Mines Provident Fund established under the Coal Mines Provident Fund Scheme as extended to Assam with the notification of the Government of India in the Ministry of Labour No. PF. 15(8)/49, dated the 13th December, 1949:

Provided further that where an application has been made under sub-paragraph (3) the forfeited bonus shall be deposited within a period of thirty days from the date of decision on the application, if the decision is that the strike was illegal, or, where an appeal is filed against that decision under sub-paragraph (5), within ten days of the dismissal of the appeal";

(2) in sub-paragraph (2), for the word "proviso", the word "provisos" shall be substituted.

[No. PF.3(59)/56-III.]

R. C. SAKSENA, Under Secy.

*New Delhi, the 24th September, 1956*

**S.R.O. 2199.**—In exercise of the powers conferred by Section 4 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946) read with sub-rule (2) of rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby nominate Shri Allam Krishnaiah, Member of the Legislative Assembly, Andhra, to be a member of the Mica Mines Labour Welfare Fund Advisory Committee for the State of Andhra, in the place of late Shri K. Shamugham and makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 3233 dated the 12th October, 1954 namely:—

In the said notification, for entry (2) the following entry shall be substituted, namely:—

"(2) Shri Allam Krishnaiah, member of the Andhra Legislative Assembly".

[No. M.M.L.W.F./Andhra-M.II23(4)56.]

P. D. COMMAR, Under Secy.

## MINISTRY OF INFORMATION AND BROADCASTING

New Delhi-2, the 24th September, 1956

**S.R.O. 2200.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled "King of the Carnival" and its trailer produced by Messrs Republic Pictures Corporation, U.S.A., shall be deemed to be an uncertified film in the whole of India.

[No. 8/16/56-FC.]

D. KRISHNA AYYAR, Under Secy.

## MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

## (COFFEE CONTROL)

New Delhi, the 22nd September, 1956

**S.R.O. 2201.**—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following amendment in the Coffee Rules, 1955, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 166, dated the 1st August, 1955, namely:—

In the said rules—

in rule 35, for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Any funds not required for current expenditure may be placed in deposit account with the Central Government in the Public Account;

Provided that the funds in the Board's Provident fund not required for current expenditure may be invested in Trustee Securities or Ten-year Treasury Savings Deposit Certificates or National Savings Certificates to the extent permissible and/or in fixed deposit with the State Bank of India or if approved by the Central Government, with any other bank."

[No. 15(14) Plant/55.]

P. V. S. SARMA, Dy. Secy.

New Delhi, the 24th September, 1956

**S.R.O. 2202.**—In exercise of the powers conferred upon me by sub-clause (1) of clause 4 of the Cotton Control Order, 1955, I hereby prescribe that contracts for the sale or purchase of Indian Cotton produced during the cotton season 1956-57, shall be subject to the following restrictions and conditions, namely:—

- (1) No person shall enter into a contract for the sale or purchase of cotton at a price less than the minimum price or more than the maximum price as fixed by the Textile Commissioner under clause 3 of the said Order in respect of Indian cotton produced during the cotton season 1956-57, as applicable to the subject matter of the contract, having regard to the place of delivery thereunder;
- (2) No person shall enter into a contract of sale with an overseas buyer for the purposes of export unless he holds a valid export licence;
- (3) Every contract in which the final price is not named shall be construed as if the following clause was inserted therein, namely:—

The price payable shall be within the range of the minimum and the maximum prices fixed by the Textile Commissioner under clause 3 of the Cotton Control Order, 1955, in respect of Indian cotton produced during the cotton season 1956-57.

[No. 24(39)-Tex(A)/56-I.]

V. V. NENE, Under Secy.

## (Indian Standards Institution)

Delhi, the 19th September 1956

**S. R. O. 2203.**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed, have been established during the period 1st to 15th September, 1956.

## THE SCHEDULE

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard.	Brief Particulars.
(1)	(2)	(3)	(4)
1	IS : 325—1956 Specification for Three-phase Induction Motors for Industrial Use (Amended)	IS : 325—1951 Specification for Three-phase Induction Motors for Industrial Use with Class 'A' Insulation.	This standard is a reprint of IS : 325—1951 incorporating the amendment gazetted under S.R.O. No. 1032, dated the 20th April 1956, in the Gazette of India, Part II—Section 3, dated the 5th May 1956, (Price Rs. 2/8/-).
2	IS : 658—1956 Code of Practice for Magnesium Oxychloride Composition Floors (Tentative)	..	This code covers the requirements regarding material, laying, maintenance and tests for different types of magnesium oxychloride floors. (Price Rs. 1/8/-).
3	IS : 779—1956 Specification for Water Meters with Threaded End Connections.	..	This standard covers inferential and semi-positive types of wet dial and dry dial water meters with threaded end connections and of sizes up to 2 in. (Price Rs. 1/8/-).
4	IS : 840—1956 Specification for Cashewnut Shell Liquid (CNSL)	..	This standard prescribes the requirements and the methods of test for cashewnut shell liquid used in many commercial resins, resinous compositions, moulding compositions, protective coatings and insulating varnishes. (Price Rs. 2/-).
5	IS : 853—1956 Specification for Bone-Meal, Raw	..	The standard prescribes the requirements and methods of test for raw bone-meal used for manurial purposes. (Price Rs. 1/8/-).

Copies of these standards are available for sale with the Indian Standards Institution, 19 University Road, Delhi-8.

D. V. KARMARKAR,  
Deputy Director (Marks).

[No. MDC/11(4)].

Delhi, the 21st September 1956

**S.R.O. 2204.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that a licence, particulars of which are given in the Schedule hereto annexed, has been granted authorizing the licensee to use the Standard Mark.

## THE SCHEDULE

Licence No. and date	Period of validity		Name and Address of Licensee	Article (s)/Process covered by the licence	Relevant Indian standard
	From	to			
CM/L-15 13-9-1956	2-10-1956 1-10-1957		Messrs. Khadi and Gromodyon Bandar, 396 Kalbadevi Road, Bombay-2.	The National Flag of India (Cotton Khadi)	IS:1-1951 Specification for the National Flag of India (Cotton Khadi)

D. V. KARMAKAR,  
Dy. Director (Marks)

[No. MDC/12(30).]

## CORRIGENDA

Delhi, the 13th September 1956

**S.R.O. 2205.**—In the Schedule to the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. S.R.O. 806 dated the 20th March 1956, published at page 513 of the Gazette of India, Part II—Section 3, dated the 7th April 1956:

(1) Under "Product/Class of Products"

For 'Wrought Aluminium and Aluminium Alloys, Sheet and Strip—Grade S1C'

Read 'Wrought Aluminium and Aluminium Alloys, Sheet and Strip—All Grades'

D. V. KARMAKAR,  
Dy. Director (Marks).

[No. MDC/11(6).]

**S.R.O. 2206.**—In the Schedule to the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. S.R.O. 805, dated the 20th March 1956, published at page 513 of the Gazette of India Part II—Section 3, dated the 7th April 1956:

(1) Column 2: For 'Wrought Aluminium and Aluminum Alloys, Sheet and Strip—Grade S1C'

Read 'Wrought Aluminum and Aluminium Alloys, Shreet and Strp—All Grades'

(2) Column 4: Add at the end before full-stop

'for S1C Grade in column (1)'

D. V. KARMAKAR,  
Dy. Director (Marks).

[No. MDC/11(6).]

VIDYA PRAKASH, Under Secy.

## MINISTRY OF HEAVY INDUSTRIES

New Delhi, the 24th September 1956

**S.R.O. 2207/ESS.COMM/IRON & STEEL-15(1)&27(1)/AM(3).**—The following Notification issued by the Iron and Steel Controller under sub-clause (1) of clause 27 of the Iron and Steel (Control) Order, 1956, is hereby published for general information:—

## “NOTIFICATION

In exercise of the powers conferred by sub-clause (1) of clause 27 of the Iron and Steel (Control) Order 1956, and with the approval of the Central Government, the Iron and Steel Controller hereby notifies the following amendments in prices and terms and conditions of sale of iron and steel Defectives and Scrap, to Schedule V of the late Ministry of Commerce and Industry Notification No. S.R.O.1113/ESS.COMM/IRON & STEEL—15(1) and 27(1), published in the Gazette of India, Part II, Section 3, dated the 12th May, 1956:—

I.—For Schedule V, relating to Prices and Conditions for Sale of IRON AND STEEL SCRAP, the following shall be substituted, namely:—

## SCHEDULE V

*Iron and steel defectives and scrap*

## Part 1-A (Fresh unused Defective and Cuttings)

Maximum basic prices per ton at all Rail-head Stations in India.

Item Description or Classification of Materials No.	Col. I For sales by Controlled Sources other than those mentioned in Col. II	Col. II For sales by Scrap Merchants who have been declared Controlled Sources	Col. III For sales by all persons
1 Bars and Rods—Mild Steel (Rounds and Squares below 3" and Flats upto and including 5" wide) Defective or Rejected Bars above 9' long and Rods above 8' long— <i>Base</i>	495	520	540
2 Fishplates—Defective or Rejected for heavy or light rails	435	460	480
3 Plates Defective or Rejected—full size—3/8" and up thick.— <i>Base</i>	549	574	594
4 Plates—Chequered 1/4" and up Defective or Rejected—Full size— <i>Base</i>	565	590	610
5 Rails—Steel, Defective or Rejected above 12' and up long:			
(a) Light	495	520	540
(b) Heavy	485	510	530
6 Semis—Defective or Rejected (Ingots, Blooms, Billets over 4", Slabs over 3" thick)	350	375	395
7 Sheets—			
(a) Black—Defective or Rejected and cut down over 24" width and not below 4' in length, 10/14G— <i>Base</i>	510	535	555
(b) Black—Cuttings—over 24" in width and between 2' to 4' in length—10/14G with Stickers— <i>Base</i>	450	475	495

1	2	3	4	5
8	Sheets—Galvanised Corrugated—Defective or Rejected and Spotted—Full size 24 gauge—Base.	705	730	750
9	Sleepers—Steel—Defective or Rejected:			
	(a) Metre Gauge	510	535	555
	(b) Broad Gauge	460	485	505
10	Sleeper Bars—Defective or Rejected 9' and above	395	420	440
11	Structurals (including Bars, Rounds, & Squares 3" and above & Flats above 5" wide)—Defective Rejected and non-standard over 9' long—Base	510	535	555
12	Tinplate waste full size all gauges	835	865	885

N.B.—Items marked 'Base' will carry only Sectional Extras as in Extras List for Prime quality steel.

Part I-B (Fresh unused Industrial Scrap)

Maximum basic prices per ton at all Rail-head Stations in India.

Item No.	Description or Classification of Materials	Col. I For sales by Controlled Sources	Col. II For sales by Scrap Merchants who have been declared in Col II	Col. III For sales by other persons than those mentioned in Col. I & II.
		Rs.	Rs.	Rs.
1	Axles—Straight—Defective or Rejected	335	360	380
2	Bars & Rods—Mild Steel (Round and Squares below 3" and Flats upto and including 5" wide):			
	(i) Cuttings—under 2' to 9' bars and 2' to 8' Rods—Base.	430	455	475
	(ii) Cuttings—under 2' to 1' long	335	360	380
	(iii) Cuttings—under 1' long	255	280	300
3	Bars—High Carbon, Octagonal—Defective or Rejected & Cuttings:			
	(i) 2' long and above	485	510	530
	(ii) Below 2' long	360	385	405
4	Bars—Spring Steel :			
	(i) Defective or Rejected over 9' in length	485	510	530
	(ii) Defective or Rejected and Cuttings 2' to 9' in length	395	420	440
	(iii) Cuttings 1' to under 2' in length	365	390	410
	(iv) Cuttings under 1' long	275	300	320
5	Hoops or Thin Flats—Defective or Rejected and Cuttings—3/16" to 1/16" in thickness and all widths:			
	(i) Over 10' long	345	370	390
	(ii) Between 2' to 10' long	335	360	380
	(iii) Below 2' long	215	240	260

PART I-B. (Fresh unused Industrial Scrap).—*contd.*

1	2	3	4	5
		Rs.	Rs.	Rs.
6	Hoops—Defective and Cuttings:			
	(i) $3/4'' \times 19/20$ G over 10' in length . . . . .	575	600	520
	(ii) $3/4'' \times 18/19$ G over 10' in length . . . . .	540	565	585
	(iii) $3/4''$ —all gauges and below 10' in length . . . . .	275	300	320
7	Plates, Cuttings:			
	(i) Ends and Strips, Straight Sheared, below $5/16''$ thick and above 10' wide—Base.	375	400	420
	(ii) Ends and Strips below $5/16''$ and in widths upto 10''—Base.	350	375	395
8	(a) Plate sheerings, unassorted, in mixed length, width and thickness . . . . .	280	305	325
	(b) Punched Plates $5/16''$ thick and over, (including punchings of sleeper Bar, tie bar and bearing plates) . . . . .	150	175	195
9	Plates—Chequered below $5/16''$ —Base.			
	(i) Sheering above 10' wide . . . . .	395	420	440
	(ii) Sheerings upto 10' wide . . . . .	345	370	390
10	Plates, Black—Rejected—full size as rolled—mixed gauges . . . . .	475	500	520
11	Plates, Black—Cuttings:			
	(i) Thin Straight sheared mixed gauges $20/34$ , $4''$ wide & over . . . . .	345	370	390
	(ii) Thick hand-bundled mixed gauges $20/34$ , $2''$ wide and over . . . . .	245	270	290
12	P. C. R. C. A. Wasters—mixed gauge full size (If these are sorted out by gauges, gauge extra as fixed for Tin Plate will apply) . . . . .	450	475	495
13	P. C. R. C. A. Strips—Cuttings—mixed gauges (If these are sorted out by gauges, gauge extra as fixed for Tin Plate will apply) :			
	(i) Over 6' wide . . . . .	330	355	375
	(ii) 3" to 6" wide . . . . .	290	315	335
	(iii) Under 3" wide . . . . .	240	265	285
14	Rails—Steel—Cuttings :			
	(i) Under 2' (Light or Heavy) . . . . .	295	320	340
	(ii) 2' to 12' long—Light . . . . .	345	370	390
15	Roll Spoils—below $3/4''$ in thickness and all lengths . . . . .	345	370	390
16	Sheets, Black Cuttings, Fishtails and cleancut mixed $6''/24''$ wide :			
	(i) $13/18$ gauge . . . . .	360	385	405
	(ii) $19/22$ gauge . . . . .	370	395	415
	(iii) $24$ gauge . . . . .	425	450	470
	(iv) $26$ gauge . . . . .	430	455	475
	(v) $28$ gauge . . . . .	435	460	480
	(vi) $30$ gauge . . . . .	440	465	485
17	Sheets—Black, Cuttings annealed cleancut pieces 6" to under 24" wide—mixed gauges . . . . .	360	385	405
18	Sheets—Black, Cuttings 6" and up wide all Fishtails 10 to 12 gauge or mixed gauges . . . . .	295	320	340

**PART I-B (Fresh unused Industrial Scrap,—*contd.*)**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
		Rs.	Rs.	Rs.
19	Sheets—Black, Cuttings—2" to under 6" wide— <i>Base</i>	235	260	280
20	Sheets— (a) Galvd. Plain cuttings of any or mixed gauges (b) Galvd. Corrugated cuttings of any or mixed gauges	535	560	580
21	Structurals cuttings 2'9" long including those of bars (Rounds and Squares 3" and above and Flats above 5" wide) Track Sleeper Bar Cuttings—and crossing Sleeper Bars Cuttings <i>Base</i> , (except Joints Channels and Angles 5/16" thick and up)	485	510	530
22	Structurals Cuttings under 2' long including Cuttings or Bars, (Rounds and Squares 3" and above and Flats above 5" wide)	375	400	420
23	Tinplate Strips—28 gauge and thicker in lots : (If these are sorted out by gauges, gauge extra as fixed for Tin Plate will apply)	275	300	320
	<i>Minimum width</i>	<i>Maximum width</i>		
	(a) Over 6"	..	585	610
	(b) Over 3"	6"	555	580
	(c) Over 2"	3"	525	550
	(d) Over 1"	2"	495	520
	(e) Over 1/2"	1"	465	490
	(f) 1/2"	..	435	460
24	Tin Bars and Sheet Bars Crop-Ends 2" to 6" wide	325	350	370
25	Wire, Defective and Short Lengths Specified gauges—2 to 3 SWG (Gauge extras as fixed for M/s. Indian Steel and Wire Products Ltd. will apply)			
	(a) Hard Bright	..	575	600
	(b) Annealed	..	625	650
	(c) Galvanised (including Telegraph)	..	715	740
	(d) Barbed	..	825	850
26	Wire, Scrap and Cuttings in mixed unsorted gauges :			
	(a) Hard bright	..	525	550
	(b) Annealed	..	575	600
	(c) Galvanised	..	665	690
27	Wire,—Twisted, Bent and rusty—mixed or unmixed gauges :			
	(a) Unannealed	..	375	400
	(b) Annealed	..	385	410
	(c) Galvanised	..	465	490
	(d) Barbed	..	575	600
28	Wire Nails—Defective Rejected and/or Rusty of any gauge and size	625	650	670

*N.B.—Items marked Base, will carry only Sectional Extras as in Extras List for Prime Quality Steel.*

## PART I-C (Used Industrial Scrap)

Item No.	Description or Classification of materials	Maximum basic prices per ton at all Rail-head Stations in India		
		Col. I	Col. II	Col. III
		For sales by Controlled sources other than those mentioned in Col. II	For sales by Scrap Merchants who have been declared Controlled Sources	For sales by all persons other than those mentioned in Cols. I & II
1.	Axes, Straight (Railway)—over 4" dia and Crank Axles all sizes	Rs. 320	Rs. 345	Rs. 365
2.	Bars and Rods Mild Steel (Rounds and Squares below 3" and Flats upto and including 5" wide):			
	(i) 2' long and above Base	355	380	400
	(ii) Cuttings below 2' and upto 1' long	275	300	320
	(iii) Cuttings under 1' long	195	220	240
3. (a)	Bars—Springs Steel :			
	(i) Over 9" in length	385	410	430
	(ii) Cuttings 2' to 9' in length	310	335	355
	(iii) Cuttings 1' to under 2'	265	290	310
	(iv) Cuttings under 1' long	215	240	260
3. (b)	Crow Bars—Rejected 2' & over	270	295	315
4.	Dog Spikes	220	245	265
5.	Draw Bars (Railway Engine and Carriage) with or without hooks :			
	(a) 6' and above in length	290	315	335
	(b) Below 6' in length	275	300	320
6. (A)	Fencing Posts—Punched—complete or broken 2" in length & over	245	270	290
	(B) Files—steel	570	595	615
	(C) Files—Broken but usable as files	370	395	415
7.	Fish Plates for Heavy or Light Rails—usable	315	340	360
8.	Hoops or thin Flats :			
	(i) 10 to 16 gauge over 10' long	250	275	295
	(ii) 3/4" x 20 gauge over 10' in length	440	465	485
	(iii) 3/4" x 18/19 gauge over 10' length	410	435	455
9.	Hoops or thin Flats 1/8" and thinner cuttings below 10' in length—all widths	225	250	270
10.	Plates, Steel, with or without holes—all sizes below 5/16" thick	265	290	310
11.	Plates—Boiler Steel, with or without holes below 5/16" thickness all lengths	305	330	350
12.	Rails :			
	(a) Above 27' long when sold as Transmission Poles—selected	360	385	405
	(b) Above 12' long—Light	320	345	365
	(c) Above 12' Long—Heavy	300	325	345
	(d) All Rails Light or Heavy 1'-2' long	210	235	255
	(e) Light Rail Cuttings over 2'-12' long	275	300	320
	(f) Wrought Iron Rails 2' long and over	225	250	270

PART I-C (Used Industrial Scrap)—*contd.*

1	2	3	4	5
		Rs.	Rs.	Rs.
13.	(A) Sheets—Galvanised Corrugated or plain— mixed or unmixed gauges :			
	(a) Used—but as good as new . . .	480	505	525
	(b) Used—damaged but utilisable . . .	360	385	405
	(c) Used—damaged & unutilisable . . .	240	265	285
	(B) Sheets, Black—Plain or corrugated or Panel Sheets mixed or unmixed gauges—fit for use as sheet cuttings . . .	235	260	280
14.	Sleepers, pressed—steel—cuttings or full length not fit for re-rolling . . .	195	220	240
15.	Spring, Steel—Laminated, Volute, Heli- cal and Spiral :			
	(i) Complete . . . . .	360	385	405
	(ii) Broken pieces . . . . .	260	285	305
16.	Structurals cuttings above 9' long in- cluding those of Rounds and squares 3" and above thick and Flats above 5" wide—Base . . . . .	310	335	355
17.	(A) Structurals cuttings under 2' long including those of Rounds and Squares 3" and above thick and Flat above 5" wide . . . . .	220	245	265
	(B) Tubes :			
	(i) Flue 8' and over . . . . .	275	300	320
	(ii) Boiler 8' and over . . . . .	275	300	320
	(iii) Element 8' and over . . . . .	275	300	320
	(C) Vacuum Pipes 8' and over . . . . .	275	300	320
	(D) Tubes—Flue, Boiler and Element and Vacuum pipes 2' to under 8 ft. long	225	250	270
18.	Wire—mixed of all sizes and gauges . . .	300	325	345

N.B.—(1) Items marked 'Base' will carry sectional extras as in Extras List for prime quality steel.

(2) In case the materials which have been classified under Part III item No. 1 are not broken and can be utilised as Industrial Scrap and are not covered by any item of Part I-C, these should be classified under Part I-C and charged f.o.r. Port rates per ton as Under :

Col. I	Col. II	Col. III
Rs.	Rs.	Rs.
175	200	220

## PART II-A (Fresh Re-rollable Scrap)

Item No.	Description or Classification of materials	Maximum basic prices per ton at all Rail-head Stations in India
		Rs.
1	Plates, shearings (resulting from fabrication work or from Procedures) both Plain and Chequered of thickness $5/16$ " and up	340
2	Rails, Steel-heavy, cuttings, 2' to 12' long	330
3	Roll-spoils $3/4$ " and thicker	340
4	Semi-Defective—Billets upto 4" and Slabs upto 3" sheet bars, Tin bars and Sleeper Bars and Flat Bars and also Sheet Bar and Tin Bar Crop Ends above thickness $5/16$ " and up	350
5	Sleeper Bars—cuttings 2' to below 9'	350
6	Structural cuttings viz., Joists, Channels and Angles 2' to 9' long and $5/16$ " thick and up	350
7	All other fresh materials considered by Iron and Steel Controller as suitable or fit for Re-rolling	335

## PART II-B (Used Re-rollable Scrap)

1	Axes straight 4" dia. and below (Railway—Loco C. & W.) fit for Re-rolling	320
2	Draw Bars—Steel (with or without Hooks) above 6" long	290
3	Fish Plates for Heavy Rails, unservicable	270
4	Plates—Shipbuilding, Railways, etc. with or without holes— $5/16$ " and up thickness	280
5	Rails—Steel-heavy 2' to 12' long (including points and Crossings and unservicable rails of all lengths)	290
6	Sleepers, Steel-Full lengths	280
7	Structurals— including Bars (Rounds and Squares 3" and above, Flats above 5" wide)—2' to 9' long	290
8	Tie Bars—Mild Steel—punched 2' long and over	240
9	Tyres—Scrap (with or without studholes)	290
10	All other used materials from any source including such scrap recovered from old fabrication (heavy structurals and Bars over $5/16$ " thickness inclusive) suitable or fit for re-rolling	275

**N.B.—**If any material described under Part II-A, and B above is allotted to a Controlled Scrap Merchant for resale, the chargeable rate of the Stockist will be Rs. 25/- per ton more than the rate fixed for the materials under this Part.

**N.B.—**The following Railway materials will be included in item No. 10 of Part II-B above :—

- (1) Fabricated materials of Rounds, Squares and Flats with and without attachments.
- (2) Fire Prickers— $1\frac{1}{4}$ " Sq. and up.
- (3) Truss Brass— $1\frac{1}{4}$ " Sq. and up.
- (4) Beams, fabricated, without attachment.
- (5) Channels, fabricated comprising of bogie under-frames and wagon under-frames.
- (6) Channels, fabricated, Engine and Tender Frames.
- (7) Loco S Tender and Bogie frames fabricated from heavy M.S. Plates.

## PART III—Melting Scrap

Item No.	Description or Classification of materials	Maximum basic prices per ton ex. site.
		Rs.
1	Mild Steel—Commercial quality Melting Scrap (excluding Borings and Turnings and Special quality low Phosphorus Melting Scrap with Phosphorus content not exceeding 0.5%) Cast Steel Scrap and perforated Plates 1/8" etc.	100
1(a)	Light Sheet Scrap	90
2	Fresh Borings and Turnings	25
3	Special quality low Phosphorus steel Melting Scrap :	
4	(i) Phosphorus content not exceeding 0.4%	150
	(ii) Phosphorus content above 0.4% but not exceeding 0.5%	130
	Cast Iron Melting Scrap Grade I	100
	Grade II	85
5	Complete wheel sets with axles and broken wheels and tyres (including spoke type)	175
6	Spring Steel Melting Scrap (including volute, Helical and spiral Spring under 1' long and broken unusable files)	13

Item No.	Description or Classification of materials	Rate per ton at all Railhead Stations in India
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	Col. I Rs.	Col. II Rs.	Col. III Rs.
7 Ingot Moulds Scrap—broken	175	190	210
8 Ingot Moulds Scrap unbroken	155	170	190

## NOTE.—

The following Railway Scrap Materials will be included in item No. 1 of Part III above.

- (1) Axle Boxes C. & W.—Cast Steel broken or un-reclaimable.
- (2) Axle Boxes (Loco) Do.
- (3) Axle Guards Do.
- (4) Buffer Casing Do.
- (5) Bogie Pivots Do.
- (6) Buckles Do.
- (7) Brake Levers Do.
- (8) Brake Shafts Do.
- (9) Brake Beams Flats Do.
- (10) Bhawrcs Do.
- (11) Beaters Scrap Do.
- (12) Buffers Spindle and Beads—cast Steel—Broken or unserviceable or un-reclaimable.
- (13) Boiler Tubes Do.
- (14) Bolts and Nuts not re-usable and cut pieces thereof Do.
- (15) Coupling Screws—broken or unserviccalbe
- (16) Coupler Components Do.
- (17) Drag Boxcs Do.
- (18) Dog Spikes Do.
- (19) Drag Castings—broken or unserviceable
- (20) Drawbar Hooks Do.
- (21) Duplicate Low and Carriage Do.
- (22) Duplicate Scrap C & W. Do.
- (23) Draw Bar Face Plates Do.

T.S.

NOTE I.—*contd.*

(24) Engine Frame Parts—Broken or unserviceable.  
 (25) Engine Pins, sorts & sizes Do.  
 (26) Element Tube Do.  
 (27) Forged Steel Do.  
 (28) Fencing Posts under 2' long Do.  
 (29) Fish Plates broken pieces Do.  
 (30) Motion Girders Do.  
 (31) Flue Tubes and other sorts of vacuum pipes etc. under 2 ft. long. Do.  
 (32) Perforated Plates 1/8" and above Do.  
 (33) Plates M. S. Scrap fabricated Do.  
 (34) Rivets, Washers Do.  
 (35) Rubbing Blocks Do.  
 (36) Rod of all sorts (connecting Rods slide, Rods and Piston Rods) Do.  
 (37) Sheets M. S. mixed sizes fit for melting purposes only Do.  
 (38) Scrap Boiler Trussers—broken or unserviceable  
 (39) Scrap Smoke Boxes Do.  
 (40) Stretcher Casting Do.  
 (41) Trussers M. S. Do.  
 (42) Wheel Centres Spoked type—C. & W. or Loco Do.  
 (43) Wagon Doors—Scrap Do.  
 (44) Wrought Iron Rails Do.  
 (45) Wagon Pannels—mixed Do.  
 (46) Wrought Iron Girders Do.  
 (47) Brakelink pins Do.  
 (48) Shackles, eye bolts Do.  
 (49) Tie Rods Do.  
 (50) Connecting & coupling rods Do.  
 (51) Loco Pick axe Do.  
 (52) Rake ballast Do.  
 (53) Spade and Forks Do.  
 (54) M. S. Post Stiffenings Do.  
 (55) Buckle Springs Do.  
 (56) Cast Steel Crossings (when mixed up with other materials) Do.  
 (57) Spoked wheel centres Do.

The following Railway Scrap materials will be included in item No. 3 of Part III above :

(1) Draw Bars, Railway Engine and Carriage wagons with or without hooks—below 6' ft. long—broken or unreclaimable  
 (2) Cranks and Crank Pins Do.  
 (3) Chains of sizes Do.  
 (4) Cross-heads of types Do.  
 (5) Tyres, wheels and Axles-cut pieces (Loco & C. & W.)  
 (6) Bearing Plates—Mild Steel Do.

## 'A' Class :

(1) Springs—laminated, valute and spirals—Broken or unserviceable  
 (2) Crank axles Do.  
 (3) Loco Tyres Do.  
 (4) Axles straight Do.  
 (5) Gudgeon Pin Do.  
 (6) Wheel sets with solid centre when given to Ordnance Factories  
 (7) Solid wheel centres when given to Ordnance Factories.

## 'B' Class Special quality :

(1) Boiler tubes, cut pieces under 2 ft.—Broken or unserviceable.  
 (2) Rails—bull headed Do.  
 Rails—flat bottomed  
 Rails—flanged  
 Rails—check  
 Rails—Points & Crossing  
 Rails—Switches  
 (3) Boiler Steel  
 (4) Plate for fire boxes  
 (5) Phowras  
 (6) Wagon and window doors  
 (7) Plates with holes  
 (8) Bill Hook  
 (9) Hammer head  
 (10) Box wrench  
 (11) Chisel for Pneumatic hammer  
 (12) Drift, Scissors } } Do. }

(13) Screw Drivers	}	
(14) Hand Vices		
(15) Pliers, Farmer's chisel		
(16) Spanner ordinary		
(17) Crow Bars, Sackle plates		
(18) Screw Coupling & sackle		
(19) Laminated spring Plates		
(20) Springs—Spirals, Volute and laminated & Helical (also classified as 'A' class Melting Scrap)		
(21) Plates & bars for manufacture of springs		Do.
(22) Forging Spring hangers and links		Do.
(23) Forging brake work		Do.
(24) " Draw bars, safety links		Do.
(25) " Pins, coupling, screw		Do.
(26) " Shackle		Do.
(27) " Regulator rod		Do.
(28) " Fire hole ring		Do.
(29) " Foundation ring		Do.
(30) " Valve Spindles		Do.
(31) " Reversing shaft and rods		Do.
(32) " Reversing screw		Do.
(33) " Regulator handles		Do.
(34) " Roof Springs		Do.
(35) " Safety valve		Do.
(36) " Connecting & coupling rods		Do.
(37) " Cross heads		Do.
(38) " Key and cotters		Do.
(39) " Piston rods		Do.
(40) " Slide bars cross head cotteted		Do.
(41) Steel Plates		Do.
(42) Sectional material for carriage and wagon		Do.

Broken or unserviceable.

The following Railway Scrap materials will be included in item No. 4 of Part III above:

- (1) Broken pieces of Piston and Piston Valve Rings.
- (2) Bull Rings.
- (3) Steam Chest Liners.
- (4) Slide Blocks.
- (5) Pulleys.
- (6) Vacuum Chambers.
- (7) C.I. Drums—Defective—broken and unclaimable.
- (8) Bearings Plates 5/8 inches (cast iron) and thinner—broken and unclaimable.
- (9) Brake Blocks.
- (10) Pot Sleepers—broken.
- (11) Heavy Cylinders—broken or unreclaimable.
- (12) Headers—broken or unreclaimable.
- (13) Drag Boxes—broken or unreclaimable.
- (14) Frames—;broken or unreclaimable.
- (15) Fire Bars—burnt.
- (16) Wheels—chilled—broken or unreclaimable.
- (17) Heavy cast Iron Scrap each weighing 4 cwt. or 5 mds. and over, e.g., Burn Fire Bars and Chilled Wheels, etc. (Gr. II).
- (18) Cast Iron Machinery Part—clean and without attachment (Gr. I).

N.B.—If any material described under Part III is allotted to a Controlled Scrap Merchant for resale his chargeable rate will be Rs. 15 per ton more than the rate fixed for the materials under this part except in the case of Borings and Turnings (item No. 2) for which his chargeable rate will be Rs. 30 per ton including his remuneration.

## GENERAL CONDITIONS

## Conditions for Sale

## I—General

1. This Scrap Price Schedule has been divided into the following Parts, *viz.*—

- (1) Part I-A—Fresh Defectives and Cuttings,
- (2) Part I-B—Fresh Industrial Scrap,
- (3) Part I-C—Used Industrial Scrap,
- (4) Part II-A—Fresh Re-rollable Scrap,
- (5) Part II-B—Used Re-rollable Scrap and
- (6) Part III—Melting Scrap.

2. In respect of all sales the prices and other provisions of this Schedule relevant thereto shall come into force with effect from the 1st August 1956 and notwithstanding the rates at which an order has been booked and/or materials paid for, shall apply to all deliveries effected on or after that date. In cases where deliveries are effected by Rail, the date of Railway Receipt shall be deemed to be the date of delivery.

3. Except in respect of Melting Scrap in Part III of the Schedule for which the rates have been made applicable ex-site, the prices in this Price Schedule are made applicable at all Rail Head Stations in India.

4. (a) Extras for section, gauge or thickness or for quality as admissible from time to time, for prime quality steel will apply to Defectives, Cuttings, Scrap, etc., only to the extent indicated in the footnotes to the Scrap Price Schedule.

(b) Where a lot consists of a mixture of different Sections, sizes, thicknesses or gauges and a separate price for mixed lots has not been fixed, the price will be calculated on the lowest priced section, size, thickness or gauge.

5. Those prices are for cash sales. The question of Credit facilities is a matter for negotiation between the buyer and the seller.

6. Octroi, Sales or other taxes incurred in the process of delivery from the seller to the buyer, will be borne by the latter.

7. Where no appropriate price has been notified for any item of scrap, the Controller may classify such item or items and fix such price as he may consider appropriate.

8. The chargeable weight in respect of all kinds of Defectives and Scrap shall be the actual scale weight.

II-A.—Special Conditions for Sales by the Main Producers (*viz.*, Messrs. Tata Iron & Steel Co. Ltd., Calcutta, Indian Iron & Steel Co. Ltd., Calcutta and Mysore Iron & Steel Works, Bhadravati and by Secondary Registered Producers, *viz.*, Indian Steel & Wire Products Ltd., Indranagar and Tinplate Co. of India Ltd., Tatanagar).

1. (a) Sales and despatches in full wagon loads of Defectives, Scrap, etc., other than Melting Scrap by the above Main and Secondary Registered Producers shall be made f.o.r. destination, i.e., the basic prices shown in Col. I and materials shall be despatched "freight paid".

(b) Where wagons are not fully loaded, the customer shall pay the f.o.r. destination rate plus the difference between the actual freight per ton and the amount of freight per ton which would have been incurred if the wagon had been fully loaded.

(c) Where the above Main and Secondary Producers sell a lot f.o.r. destination basis and the materials are sent at the customers' request, by a route or means of transport, other than the cheapest, the extra cost shall be borne by the customer.

(d) For deliveries by Rail in 'small' sales shall be made f.o.r. despatching station, i.e., the basic prices shown in Col. I and materials will be despatched "freight to pay". In such cases, the actual freight shall be borne by the buyer.

II-B.—Special Conditions for Sales by Registered Producers (other than the Main Producers, and Messrs. Indian Steel & Wire Products Ltd., and Tinplate Co. of India Ltd.) and Controlled sources (other than controlled Scrap Merchants).

1. Sales and despatches by the Registered Producers (other than the Main Producers and Messrs. Indian Steel & Wire Products Ltd., Tinplate Co. of India Ltd.) and Controlled sources (other than controlled Scrap Merchants) shall be

made f.o.r. Seller's siding or f.o.r. despatching station, as the case may be, at Col. I price. Actual freight from the despatching station to the destination station shall also be borne by the consignee.

II-C.—Special Conditions for Sales by the Controlled Scrap Merchants.

1. The rates shown in Col. II of Parts I-A, I-B and I-C will apply to all sales by Controlled Scrap Merchants.

2. All sales by Controlled Scrap Merchants are *ex* their yards or f.o.r. their siding. No extra charges are admissible when delivery is made *ex*-yard or f.o.r. their siding, or into workshops adjoining to the Controlled Scrap Merchants' yard. For such sales, the charges incurred for loading defectives or scrap in the Wagons or Lorries shall be borne by the Controlled Scrap Merchants. Where delivery is undertaken by the Controlled Scrap Merchants at the request of the buyer, the delivery charges shall not, except by special arrangements between the Controlled Scrap Merchants and the buyer, exceed the following rates per ton:—

	Rs. A. P.		Rs. A. P.
Calcutta	.. 10 0 0	Jullunder	.. 4 0 0
Bombay	.. 10 0 0	Nagpur	.. 5 0 0
Madras	.. 6 8 0	Vizianagram	.. 3 0 0
Delhi (Old and New)	.. 5 12 0	Cuttack	.. 7 0 0
Kanpur	.. 8 0 0	Ambala	.. 5 0 0

II-D.—Special Conditions for Sales by all persons other than Main Producers, Registered Producers (other than Main Producers), Controlled Sources and Controlled Scrap Merchants.

1. The base rates given in Col. II of Parts I-A, I-B and I-C will apply *ex*-yard.

II. The words and brackets "and Schedule V (except items 1 to 6 in Part III thereof)" occurring after the word 'Schedule II', in the 3rd and 4th line of Appendix I, relating to FREIGHT (PLACE EXTRAS), shall be deleted.

C. R. NATESAN,  
Iron and Steel Controller."

[No. IS(A)-2(172)/56.]

P. S. V. RAGHAVAN, Under Secy.

MINISTRY OF HEAVY INDUSTRIES

ORDER

New Delhi, the 19th September 1956

S.R.O. 2208/IDRA/18G/10/56.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following amendments in the Cement Control Order, 1956, namely:—

In the Schedule attached to the said Order, for the entries against serial number (3), (6), (8), (13), (14), (15), and (16), the following entries shall be respectively substituted, namely:—

"(3) Messrs. Jaipur Udyog Ltd., Sawai Madhopur	..	Rs. 53/8/-
(6) Messrs. Orissa Cement Ltd., Rajgangpur	..	Rs. 54/8/-
(8) Messrs. Shree Digvijay Cement Company Limited, Seeka	..	Rs. 53/8/-
(13) Messrs. India Cements Limited, Talaiyuthu	..	Rs. 54/8/-
(14) Messrs. Travancore Cements Limited, Kottayam	..	Rs. 73/-
(15) Mysore Iron and Steel Works, Bhadravati	..	Rs. 56/8/-
(16) U.P. Government Cement Works, Churk	..	Rs. 54/8/-

[No. Com-8(317)/56.]

G. RAMANATHAN, Dy. Secy.